

ASSESSING OUTPUTS OF EQUAL EMPLOYMENT
OPPORTUNITY ENFORCEMENT EFFORTS AMONG
DEFENSE CONTRACTORS

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NAVAL POSTGRADUATE SCHOOL

Monterey, California



THESIS

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DEFENSE CONTRACTORS

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Assessing Outputs of Equal Employment Opportunity
Enforcement Efforts Among Defense Contractors

by

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ABSTRACT

This thesis examines the use of the Department of Defense procurement process to enforce the Equal Employment Opportunity program. Data concerning employment percentages of non-whites and females are compiled from two sources. The first source is the semi-annual summaries of the Defense Contract Administrative Services (DCAS) which is responsible for enforcing E.E.O. in Federal contracts for fourteen major industry groups. The second source is the Equal Employment Opportunity Commission (EEOC) which receives annual reports of employment statistics from all employers of more than one hundred persons. A comparison is made between DCAS data and EEOC data relating only to the same fourteen industry groups assigned to DCAS. No significant difference is found between DCAS and EEOC percentages for non-whites, and EEOC percentages for females are significantly greater than those of DCAS. The conclusion is drawn that no significant degradation in the equal employment opportunity performance of Defense contractors would occur if DCAS ceased performing the E.E.O. enforcement function.

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I. INTRODUCTION

Within the past five years Federal procurement personnel have become concerned that the Government procurement process is being misused to enforce "social" and economic legislation. Executive and legislative branch members have been using Federal procurement to change working conditions that they considered undesirable since 1905 when Executive Order 325A prohibited the use of convict labor in the production of goods sold to the Government. Today, there are thirty-nine major socio-economic programs affecting the procurement process of which twenty-seven are contractual requirements. (See Appendix I for a inventory of the significant programs.) Procurement personnel are concerned primarily with the fact that such social and economic regulations are tied to the contracting process but in no way contribute to the procurement of the end product.

A. PURPOSE OF THIS STUDY

This report examines one socio-economic program that is tied by legislation or executive order to the contracting process: The Equal Employment Opportunity (E.E.O.) Program. This study is an attempt to apply at least approximate measures to the benefit of the E.E.O. program as enforced by the Department of Defense through contracts for goods and services produced by the private sector. Further, it is an attempt to suggest means for establishing benchmarks for future DOD performance. The E.E.O. program was chosen from among the many socio-economic programs because it involves a case in which two separate

Federal organizations enforce a single policy: equal employment opportunity. This report takes advantage of the two-fold nature of E.E.O. enforcement by measuring the success of one organization on a national scale in comparison to the other which has responsibility only for programs of Defense contractors.

Study Group #2, one of fifteen committees, of the Commission on Government Procurement has argued, in its final report to the Commission, that enforcing social programs through the procurement process has benefits that outweigh the cost (Final Report, Study Group #2, 1972). In the case of E.E.O. the study group did not specify the benefit and no known literature has attempted to measure the benefit of the E.E.O. program enforced by the Department of Defense contracting process.

B. PREVIOUS RESEARCH

Research in the area of equal employment opportunity has been generally limited to questions of differences in wages and earnings of whites and non-whites, or the impact of educational status upon the relative position of the non-white in the American occupational structure. Few efforts have been made to measure the effects of enforcement of Federal civil rights legislation.

One such effort was conducted to measure the output of the Office of Civil Rights of the U.S. Maritime Administration (MARAD) (Northrup and Rubin, 1973). The Northrup and Rubin study is mentioned here because it dealt with the effectiveness

of one Federal Government agency charged with enforcing E.E.O. through contracts with a segment of U.S. industry. It developed a model to indicate whether there has been a change in the relative occupational position of black workers, as compared to white workers, in private U.S. shipyards. The model departs from previous research in that it does not obscure differing economic and geographic conditions in an average and then apply it nationwide to all plants under consideration.

Northrup and Rubin chose the Maritime Administration as an example of a compliance agency because it deals with a relatively small number of plants. MARAD is responsible for coastal ship and boat building and repair. Since the industry is relatively small, (less than 100 firms as compared to more than 15,000 for DOD), Northrup and Rubin were able to conduct their study at the plant level and present evidence of the overall effectiveness of the Office of Civil Rights of MARAD. They found the Office to be highly effective in enforcing E.E.O. in the shipbuilding industry. They also found that a large measure of its success was due to the willingness of agencies controlling procurement funds to act on the recommendations of the Office of Civil Rights to withhold funds or contracts until an acceptable compliance posture was reached.

C. BACKGROUND

The two E.E.O. enforcement agencies to be compared in this report are the Equal Employment Opportunity Commission (EEOC) and the Office of Contract Compliance division of the Defense Contract Administration Services (DCAS). The EEOC enforces

E.E.O. on a National scale through the processing of individual complaints. It uses the technique of conciliation and files suits on behalf of individuals in Federal Court when efforts to conciliate fail. DCAS, on the other hand, is the enforcement arm of the Department of Defense in the area of contractor equal employment opportunity. It operates through the DOD procurement system by inspecting Defense contractors for E.E.O. compliance and requiring contractors to take "affirmative action" to eliminate employment discrimination in their plants. (Appendices II, III and IV, provide a more detailed discussion of each of these respective agencies and the history of legislative and other regulatory efforts in the area of equal employment opportunity.)

This report will focus on the measurable output of each of the two agencies. A comparison of employment percentages by occupation group for non-whites and females between those under EEOC and DCAS jurisdiction will be made in an attempt to measure the benefit of the DCAS effort.

II. METHODOLOGY

A. DATA SOURCES

The data used in this study were taken from three sources: the U.S. Bureau of Labor Statistics (BLS) provides aggregate data representing National employment and educational attainment statistics; DCAS statistics represent consolidated figures compiled as a result of on-site reviews by contract compliance specialists; and data provided by the EEOC for the Standard Industrial Codes (SIC) corresponding to those codes for which DCAS assumes E.E.O. compliance responsibility. (Appendix V contains a list of SIC's for which DCAS is responsible).

1. Aggregate or National Data

The Bureau of Labor Statistics relies on the Bureau of Census for monthly compilation of statistics on the employment status of the population and its characteristics through the use of the Current Population Survey. These monthly surveys of the population are conducted with a stratified cluster sample of households representing the civilian population of the U.S.¹ The data derived from this sample represent annual averages of the monthly data.

2. DOD Data

The data relative to employment characteristics of Defense industries were taken from statistics compiled by DCAS

¹For a full explanation of the survey and extensive description of the sample, see "Concepts and Methods Used in Manpower Statistics from the Current Population Survey." This report is available from the Bureau of Labor Statistics on request.

and published semi-annually. DCAS data represent actual totals collected during reviews of Defense contractors' E.E.O. programs conducted by DCAS Region Contract Compliance Offices. DCAS assumes that in each period the samples are of sufficient size to be representative of the total contractor population under contract to DOD.

3. EEOC Data

The Equal Employment Opportunity Commission Compiles data provided annually by all employers of more than one hundred persons. The data is filed by occupation and industry.

4. Comparability of Samples

DCAS and EEOC data are compatible in that they represent identical occupational groupings and standard Industrial Code classifications. Although EEOC keeps records on all SIC's the only EEOC data used for this report were those for the SIC's corresponding to DOD industries.

National BLS data are inclusive of all industrial classifications and include farm workers and household service workers. Since farm workers and household service workers are not found in DOD industry, they have been extracted from the BLS figures for the purposes of this report.

DCAS and EEOC data represent the following occupational categories:

White Collar

Officials and Managers
Professionals
Technicians
Clerical
Sales

Blue Collar

Craftsmen
Operatives
Laborers

Service Workers

Service Workers (less household)

(See Appendix VI for definitions of the Occupational categories.)

Data prior to 1969 were not available from DCAS in a form usable in this study. DCAS did not begin to collect data by SIC until 1971. Data for 1971 and 1972 were taken by requiring the activity under review to compare 1971 and 1972 figures with their records for 1969. 1969 data could be subject to inaccuracies since it represents the filing of retroactive data which, in the absence of records at the filing activity, might be the result of best estimates. There was no DCAS data for 1970.

B. METHOD OF ANALYSIS

The data described in Section II.A., above, were tabled (See Appendix VII) and plotted for DCAS and EEOC by percentage across time. The graphical presentation of the result is part of Section III.

Analysis of DCAS and EEOC data for the years 1969, 1971, and 1972 was made by statistically comparing the two percentages for each year using a test of sample proportions (Wallis and Roberts, 1956: 429-435). The purpose of the test was to determine if DCAS and EEOC data could be considered as significantly different for each of the three years. The test that was applied assumed independence between samples. The samples being tested in this analysis are not independent because DCAS data is a subset of EEOC data. A test requiring the assumption of independence

is more rigorous in finding statistically significant differences between non-independent samples. Violation of the independence assumption errs on the conservative side.

III. FINDINGS

Both EEOC and DCAS are responsible for enforcing E.E.O. policy regarding non-whites and females.² The problems for non-whites and females are distinct and better understood when treated separately. For this reason, the presentation of findings deals first with non-white data and then with female data.

A. RESULTS FOR NON-WHITES

1. Non-whites in White Collar Jobs

Figure 1 shows the percentages of non-whites in white collar jobs to be little different for both DCAS and EEOC. When subjected to a test of proportions, the data showed no statistically significant difference between DCAS and EEOC percentages for the years 1969, 1971, and 1972. Both sets do show an essentially linear rate of increase in annual percentages over time.

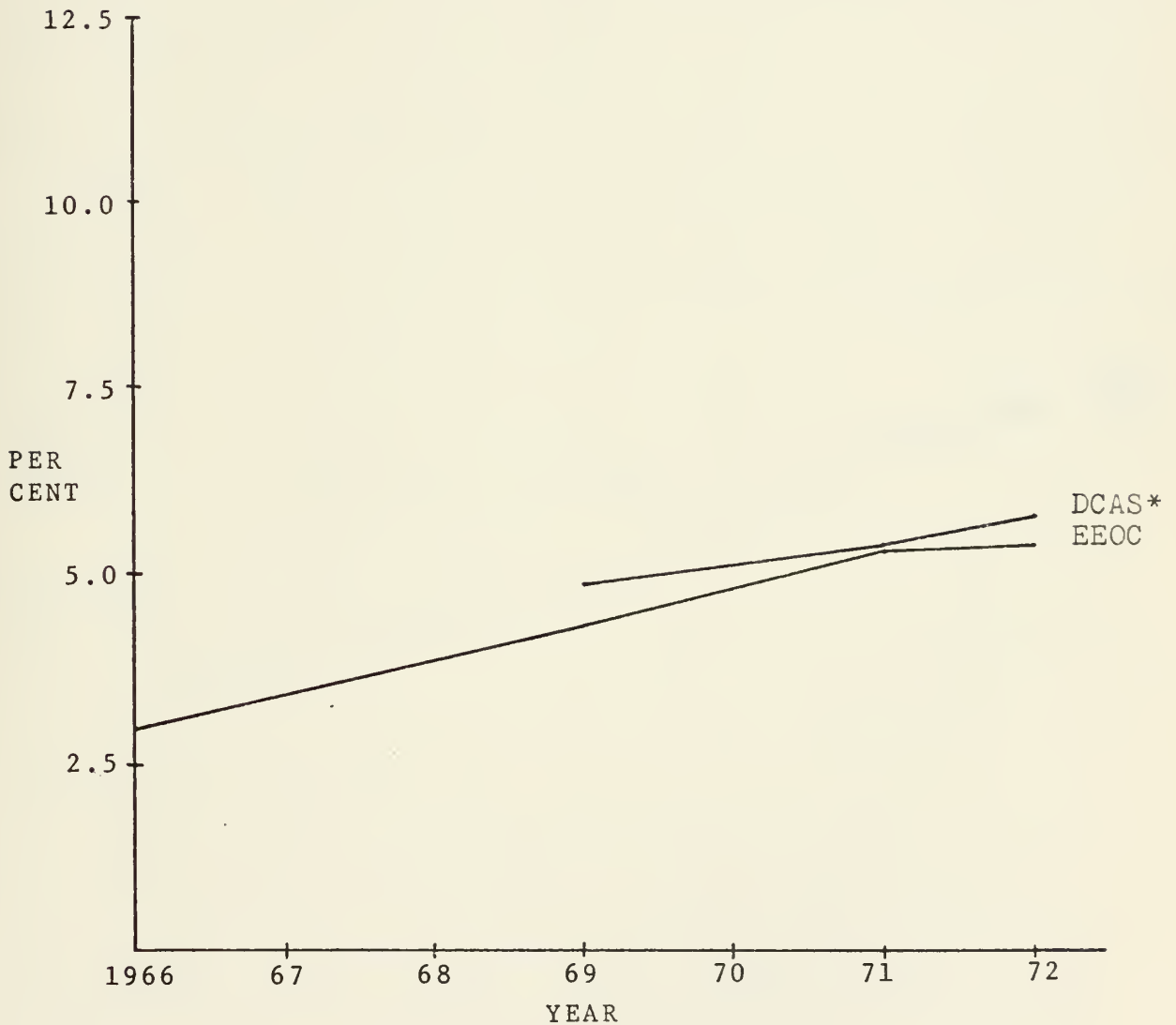
a. Non-white Officials and Managers

Figure 2 shows DCAS and EEOC percentages to be increasing over time at much the same rate. Again, however, there was no appreciable difference between DCAS and EEOC data. Figure 2 shows a converging trend between the outputs of the two enforcement agencies.

²Non-whites includes: Negroes, Spanish-surnamed Americans, Orientals, and American Indians.

FIGURE 1

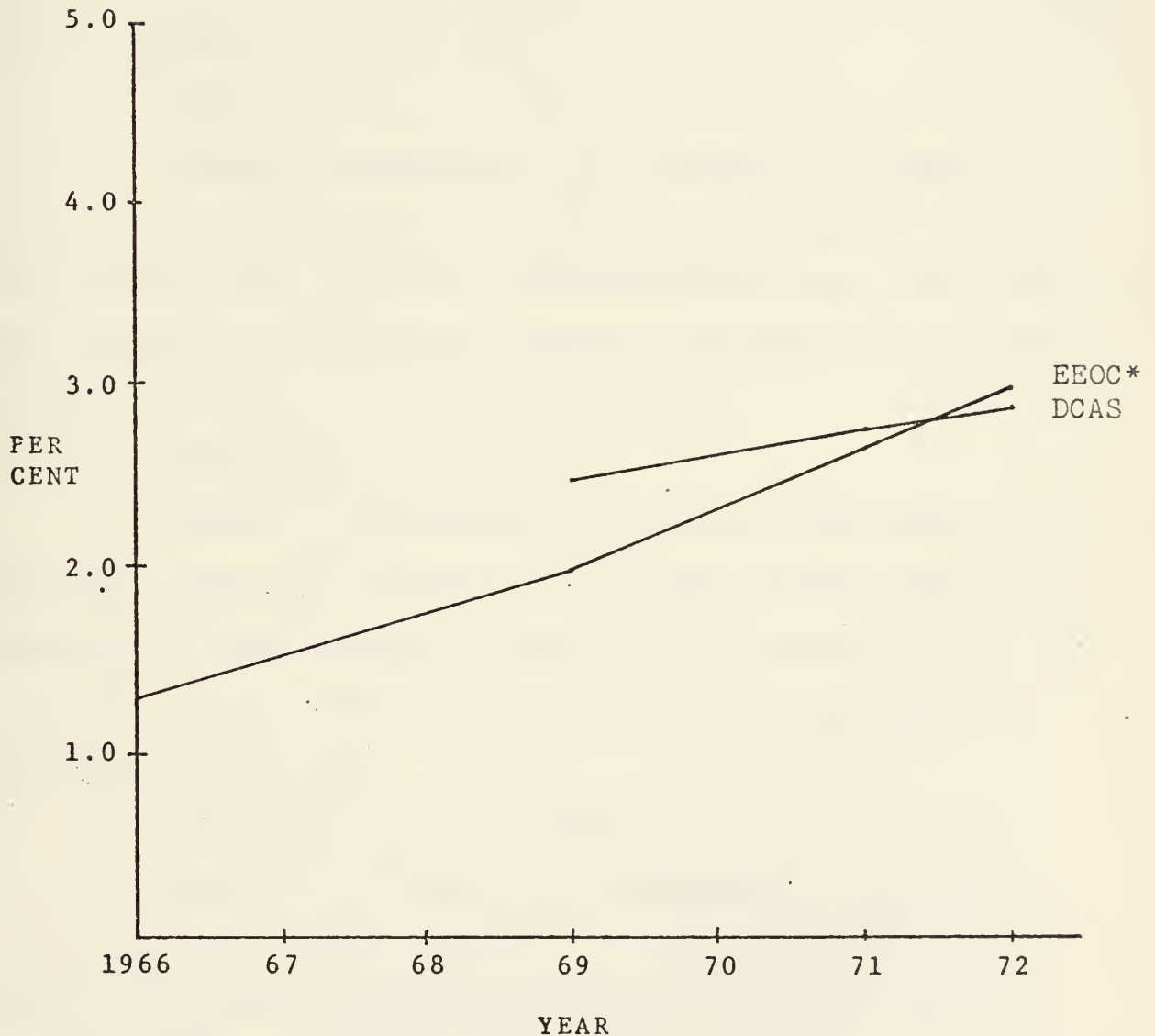
Non-white Workers in White Collar Jobs as a Percentage
Of all White Collar Workers by year, DCAS and EEOC



*No significant difference between percentage
of DCAS and EEOC for 1969, 1971, and 1972
Using proportion comparison test.

FIGURE 2

Non-white Officials and Managers as a Percentage of all
Officials and Managers by year, DCAS and EEOC



*No significant difference between percentage
of DCAS and EEOC for 1969, 1971, and 1972
Using proportion comparison test.

b. Non-white Professionals

The same pattern of statistical equality holds for the occupational category of professionals. Figure 3 depicts parallel rates of increasing professional employment of non-whites for DCAS and EEOC data. The percentage increase over time for the professional category may be limited by the availability of non-white college graduates. (See Section IV.E. for a discussion of this trend.)

c. Non-white Technicians

Figure 4 indicates a rather marked increase for Non-whites in the technician occupational category. As with the previous data a test of proportions for 1969, 1971, and 1972 revealed no significant difference between DCAS and EEOC employment levels.

d. Non-white Sales Workers

Figure 5 is confused by the erratic movement of the DCAS data. EEOC data showed a continuous increase while DCAS percentages dipped sharply in 1971 before recovering to a new high in 1972. This inconsistency was not explained in the nature of the data.

e. Non-white Clerical Workers

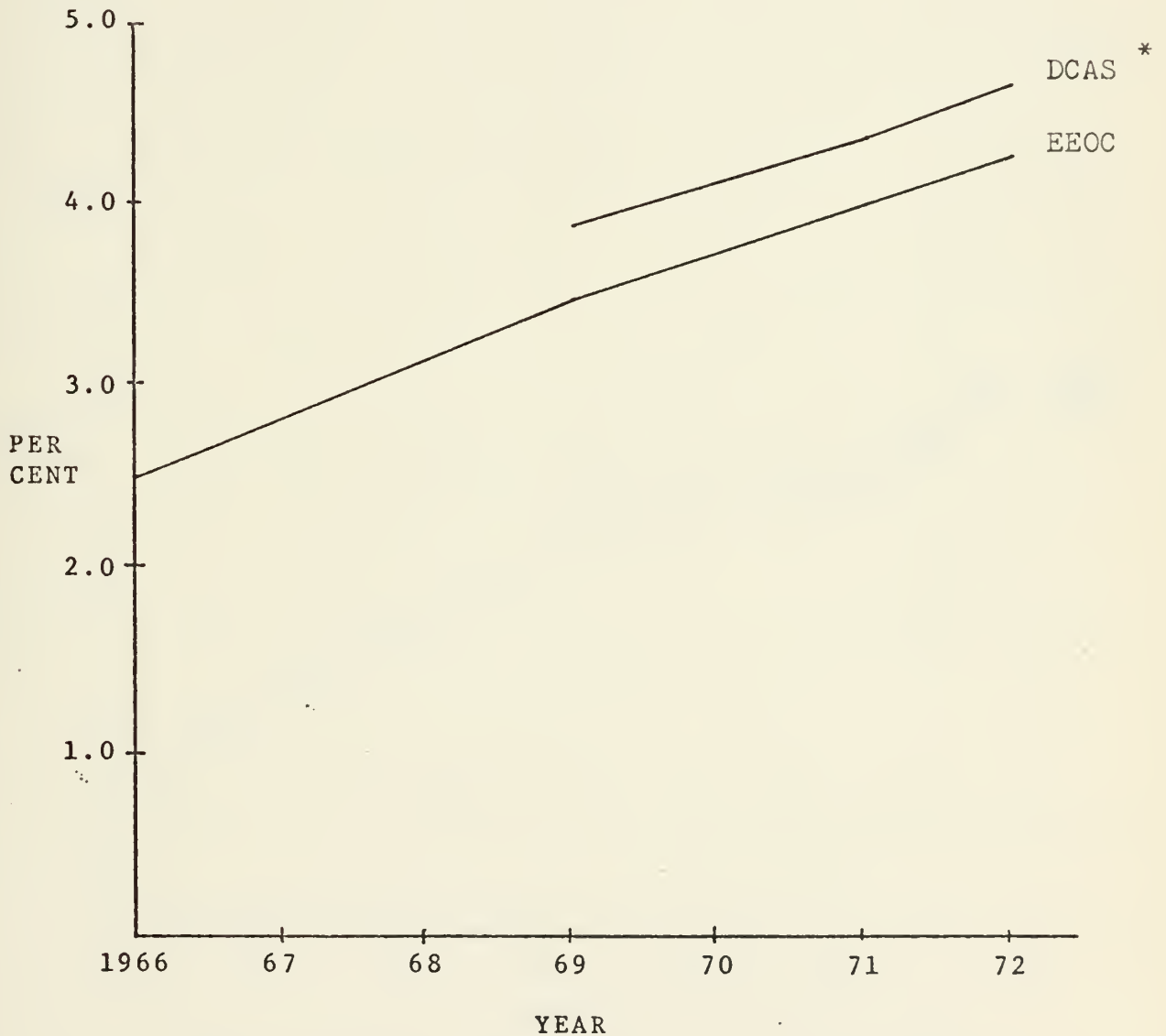
Figure 6 represents the findings for non-whites in the clerical worker category. The percentages of non-whites in clerical occupations increased over time for both EEOC and DCAS data.

f. Summary for White Collar Occupations

Non-whites are concentrated at higher levels in

FIGURE 3

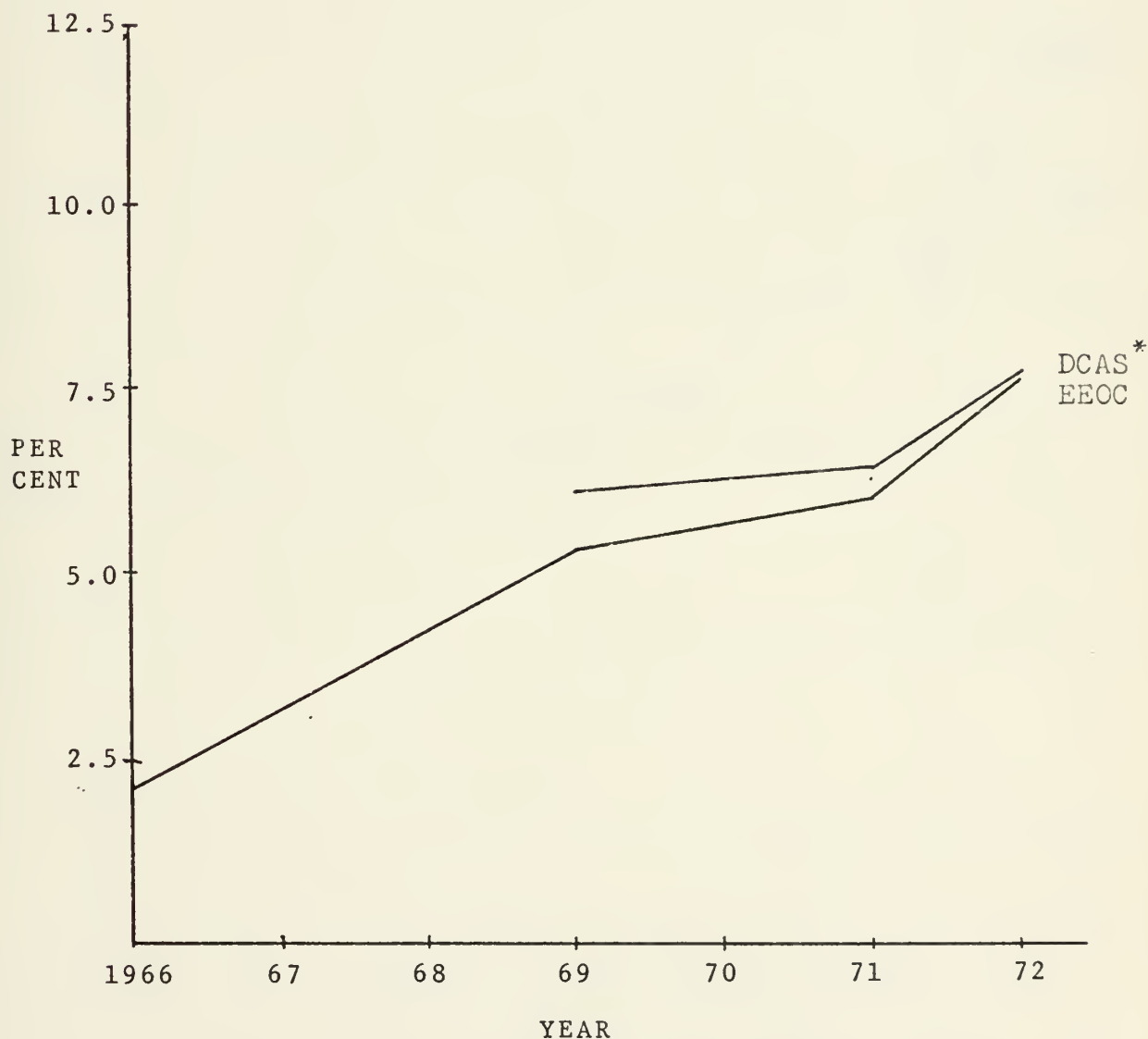
Non-white Professionals as a percentage of all Professionals
by year, DCAS and EEOC



*No significant difference between percentage
of DCAS and EEOC for 1969, 1971, and 1972
Using proportion comparison test.

FIGURE 4

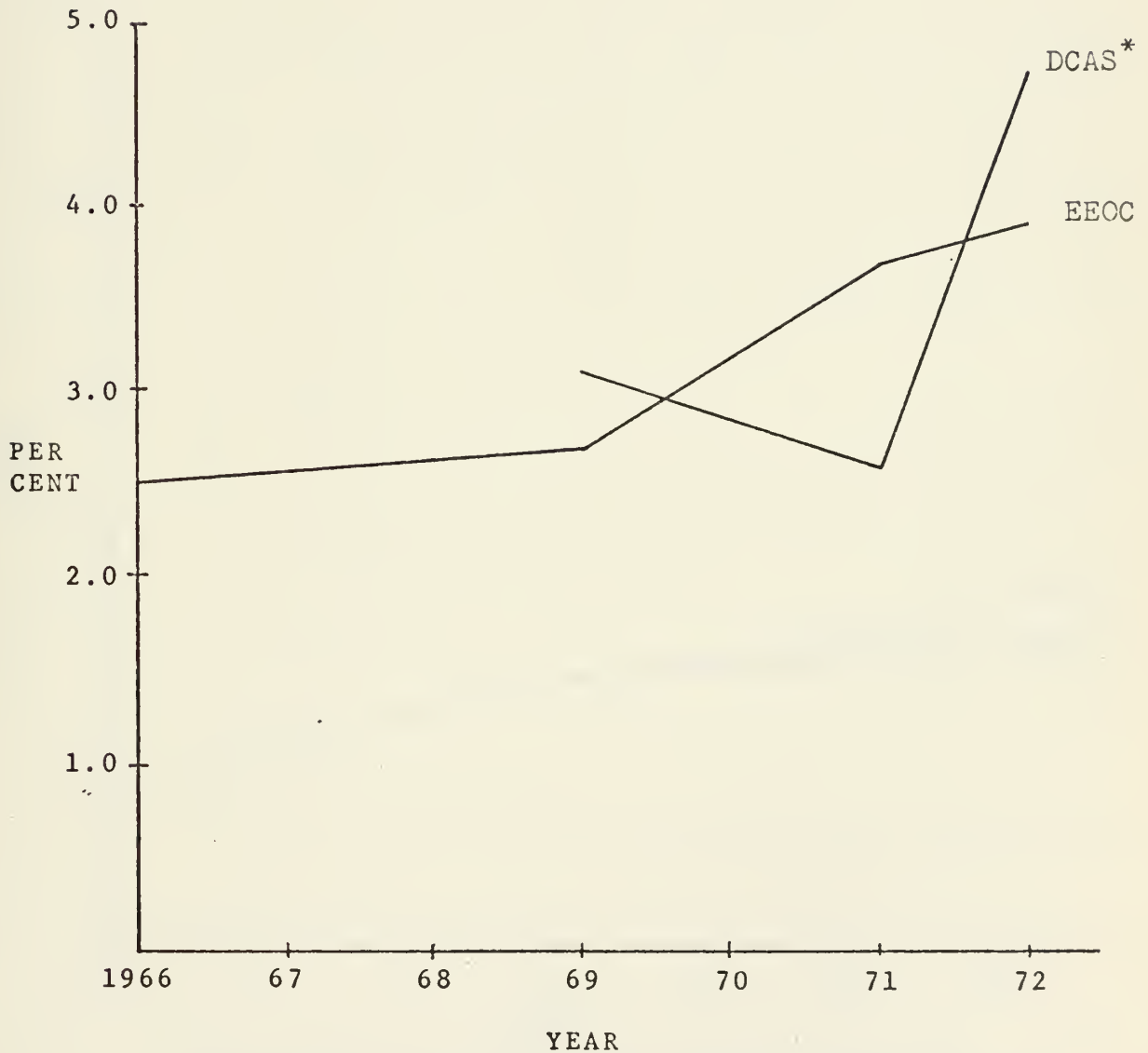
Non-white Technicians as a Percentage of all Technicians
by year, DCAS and EEOC



*
No significant difference between percentage
of DCAS and EEOC for 1969, 1971, and 1972
Using proportion comparison test.

FIGURE 5

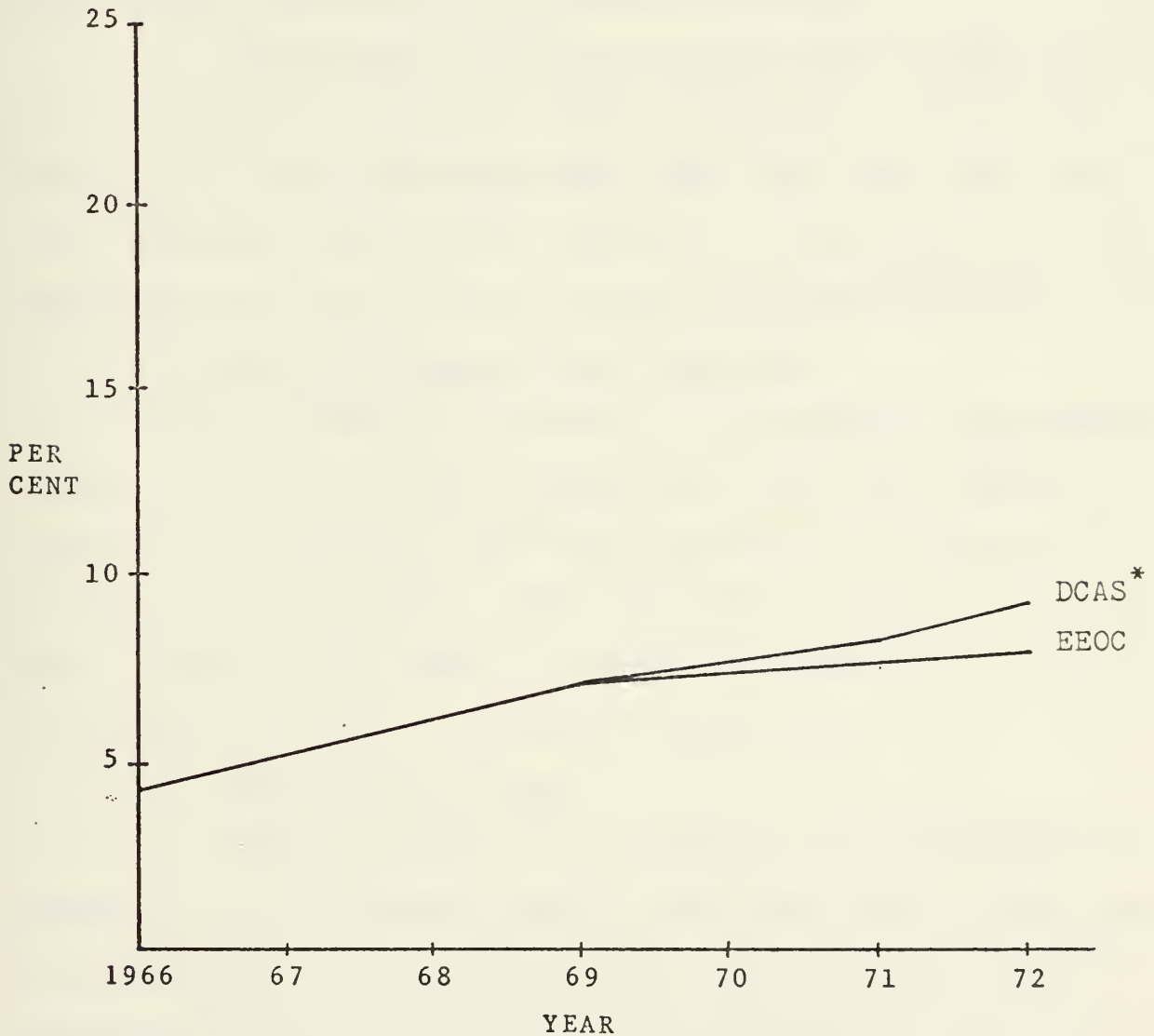
Non-white Sales Workers as a Percentage of all Sales Workers by year, DCAS and EEOC



* Significant difference between percentages of DCAS and EEOC for 1971 and 1972 using proportion comparison test.

FIGURE 6

Non-white Clerical Workers as a Percentage of all
Clerical Workers by year, DCAS and EEOC



* No significant difference between percentage
of DCAS and EEOC for 1969, 1971, and 1972
Using proportion comparison test.

the lowest paying white collar category of clerical workers. Although the other four categories showed increases in employment levels over time, none exhibited the growth exhibited by clerical workers. The employment of non-white technicians also grew but the relatively small number of non-whites in the technician category did not exert so great an influence on the white collar trend as did the clerical category.

In each case, DCAS percentages appear graphically equal or slightly greater than EEOC percentages. Statistical comparisons of the percentages for 1969, 1971, and 1972, however, indicated that for all categories, except sales, no significant difference existed between DCAS and EEOC data.

2. Non-white Workers in Blue Collar Jobs

Figure 7 shows non-whites to be relatively well employed in blue collar jobs by DOD contractors. Both DCAS and EEOC curves show percentages above the percentage of non-whites in the labor force.³ DCAS and EEOC employment levels in this category converge in 1971 and 1972 where the differences in their percentages were not statistically significant.

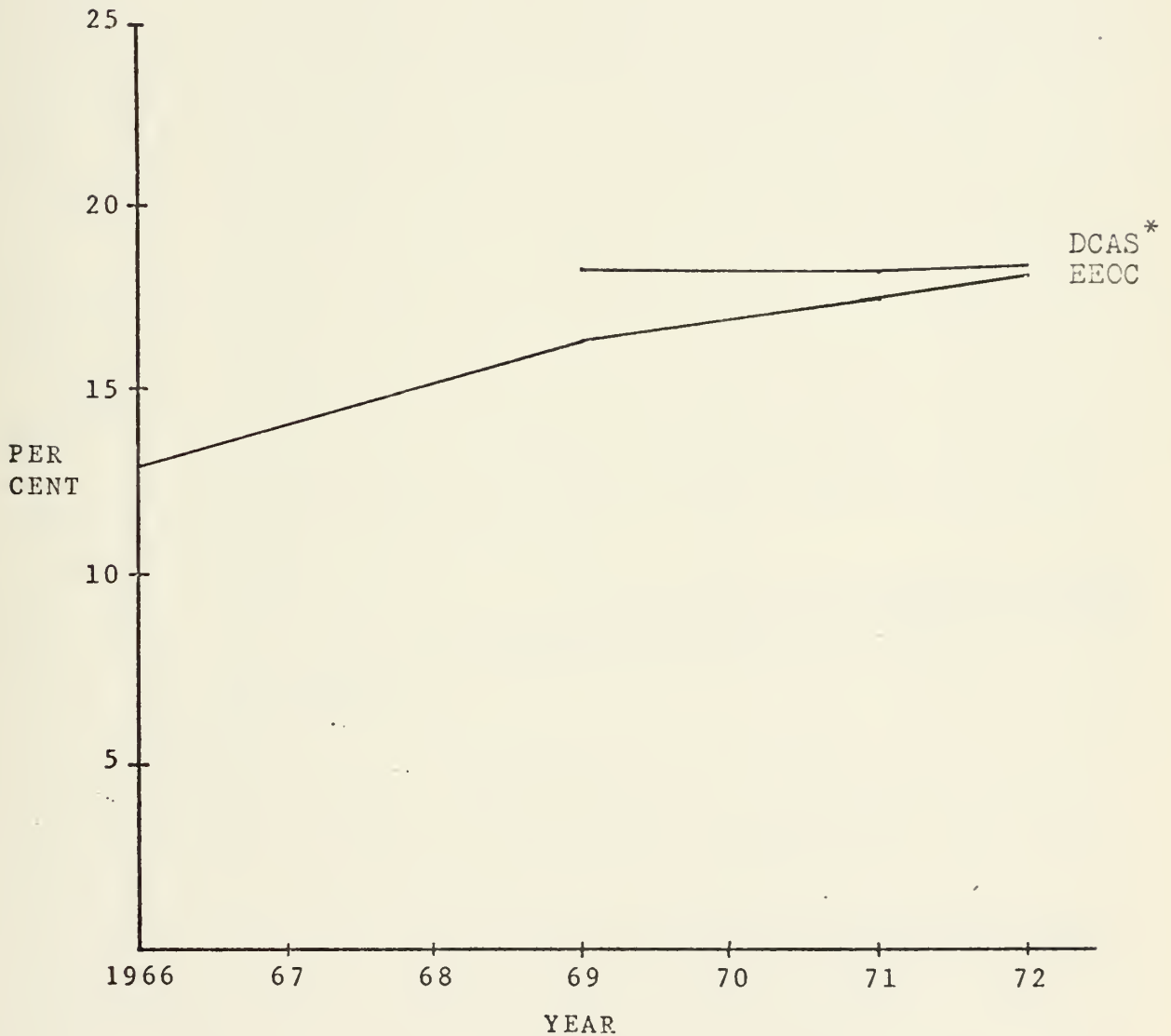
a. Non-white Craftsmen

Figure 8 depicts the progress of the employment of non-whites in the highest paying of the blue collar occupations. As with the white collar percentages, the employment levels for craftsmen in both DCAS and EEOC data were statistically equivalent. Both lines in Figure 8 are positively increasing over

³ According to BLS figures, non-whites have averaged 11 percent of the labor force over the past twenty years.

FIGURE 7

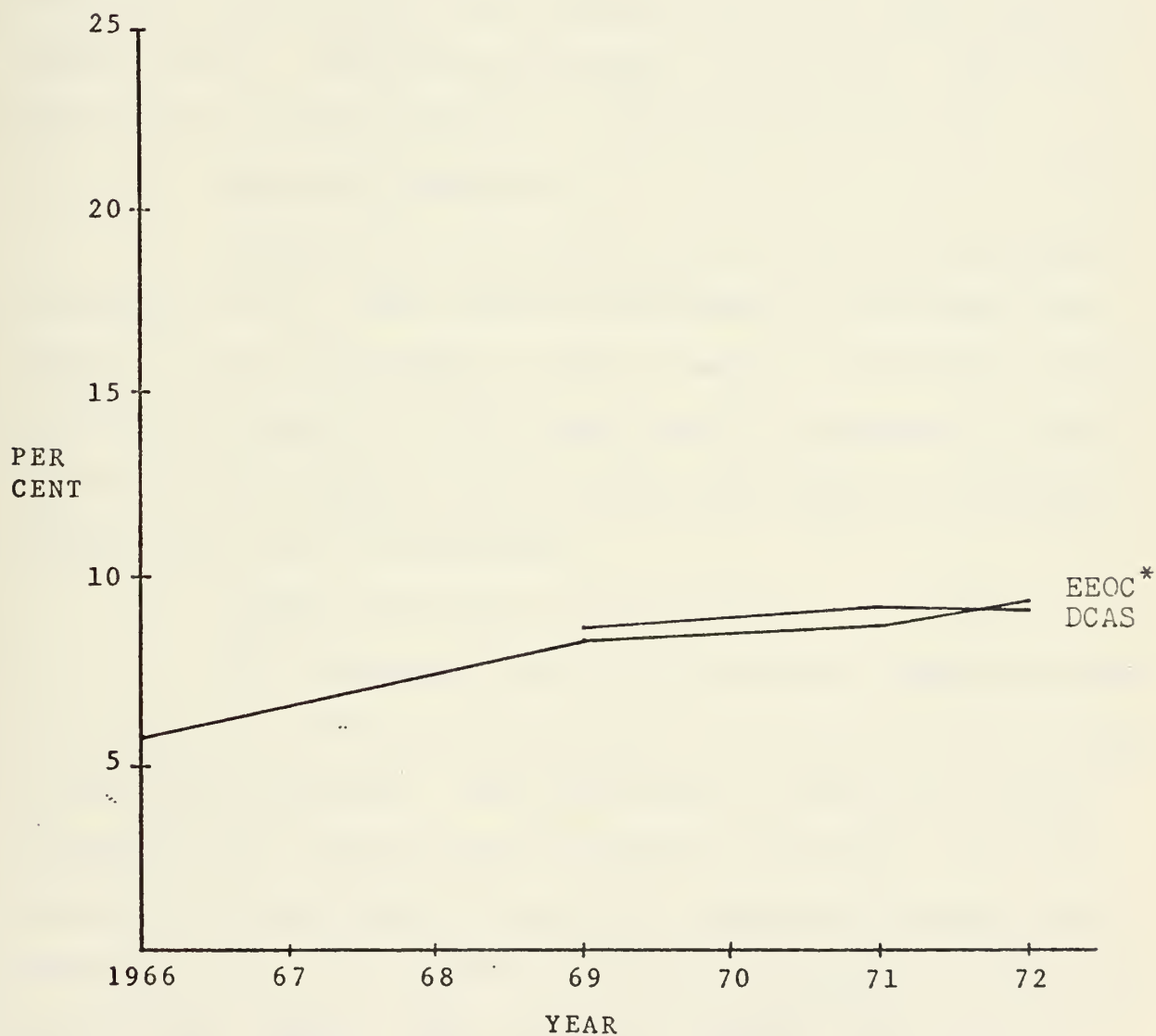
Non-white Workers in Blue Collar Jobs as a Percentage
of all Blue Collar Workers by year, DCAS and EEOC



*No significant difference between percentage
of DCAS and EEOC for 1971, and 1972 using
proportion comparison test.

FIGURE 8

Non-white Craftsmen as a Percentage of all Craftsmen
by year, DCAS and EEOC



* No significant difference between percentage of DCAS and EEOC for 1969, 1971, and 1972 using proportion comparison test.

time with convergence prior to 1972.

b. Non-white Operatives

The semi-skilled occupations, depicted in Figure 9, seem to have remained stable over the 1969 to 1972 period. EEOC employment of non-white operatives shows a rapid growth for the period 1966 to 1969. Thereafter, it levels off. If DCAS data were available for the same period it might show a similar trend. Comparing percentages for 1971 and 1972 between DCAS and EEOC revealed no significant difference.

c. Non-white Laborers

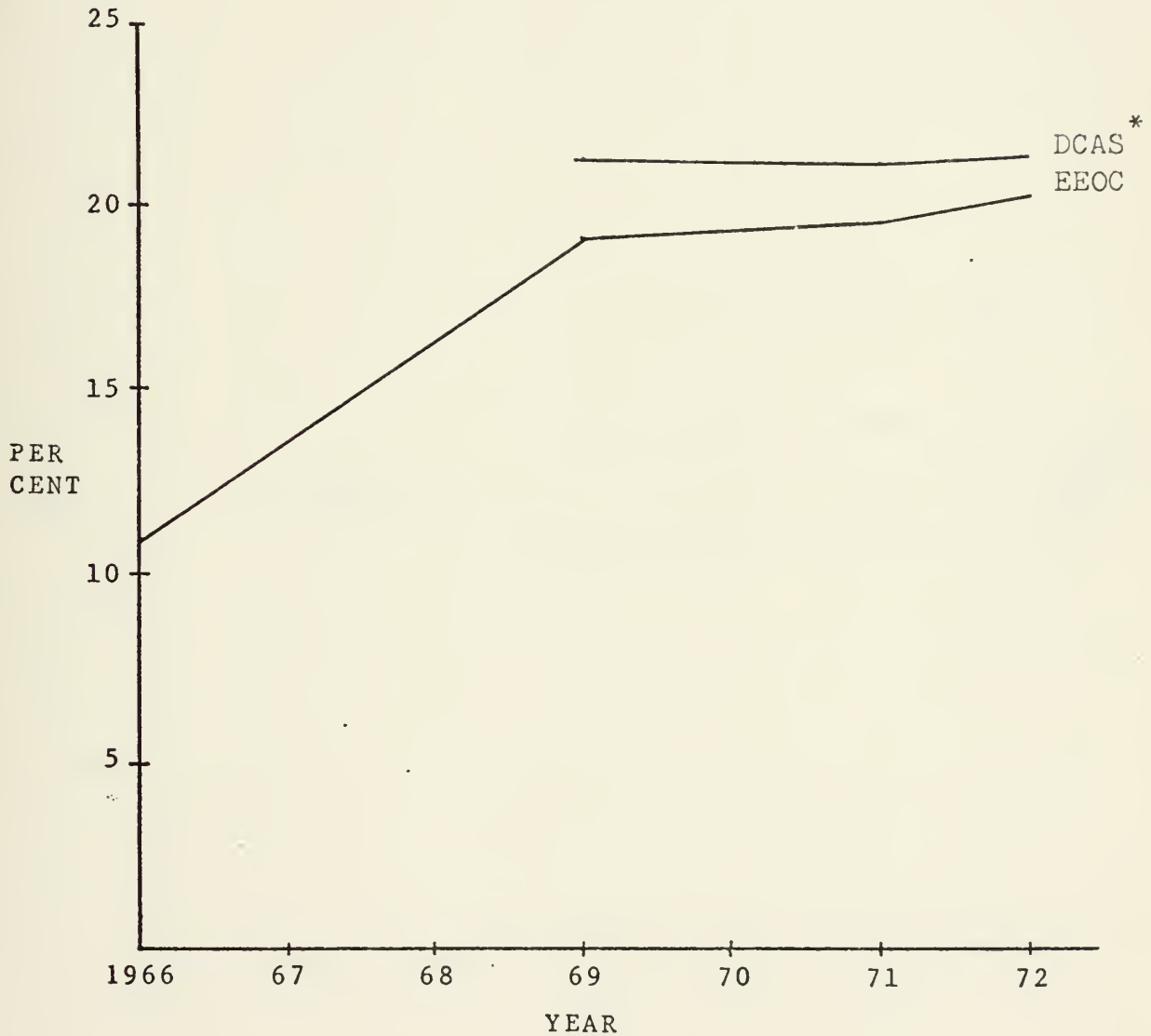
Figure 10 is the only one, so far, that displayed a downward trend. EEOC and DCAS employment of non-white laborers, in the period 1969 to 1972, tended to stabilize although the DCAS percentage in 1972 tended toward convergence. Comparison of percentages indicated only the values for 1972 exhibited statistical equivalence.

d. Summary for Blue Collar Workers

The cumulative data for non-whites showed an overall increase in non-white employment in the blue collar category for both DCAS and EEOC. The employment of non-white laborers decreased while craftsmen and operatives increased. This decrease in the percentage of non-white laborers occurred over a period when the total number of laborers increased. This trend for laborers suggests that non-whites became upward mobile in blue collar jobs. The percentage decrease in non-white laborers can be explained by non-whites moving out of the laborer category into higher paying operative and craftsmen jobs.

FIGURE 9

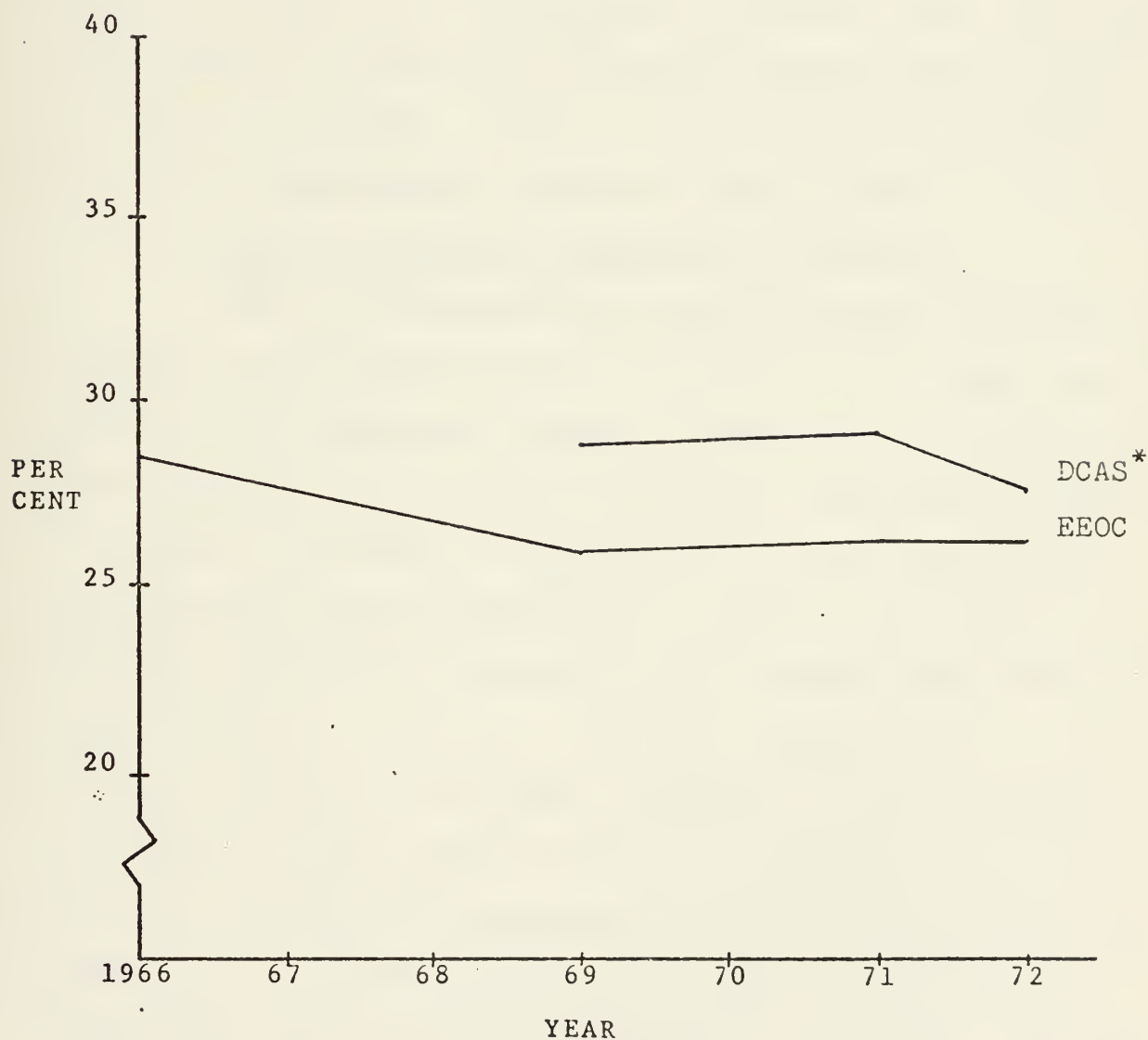
Non-white Operatives as a Percentage of all Operatives
by year, DCAS and EEOC



*No significant difference between percentage
of DCAS and EEOC for 1971, and 1972 using
proportion comparison test.

FIGURE 10

Non-white Laborers as a Percentage of all Laborers by
year, DCAS and EEOC



* No significant difference between percentage
of DCAS and EEOC for 1972 using proportion
comparison test.

3. Non-white Service Workers

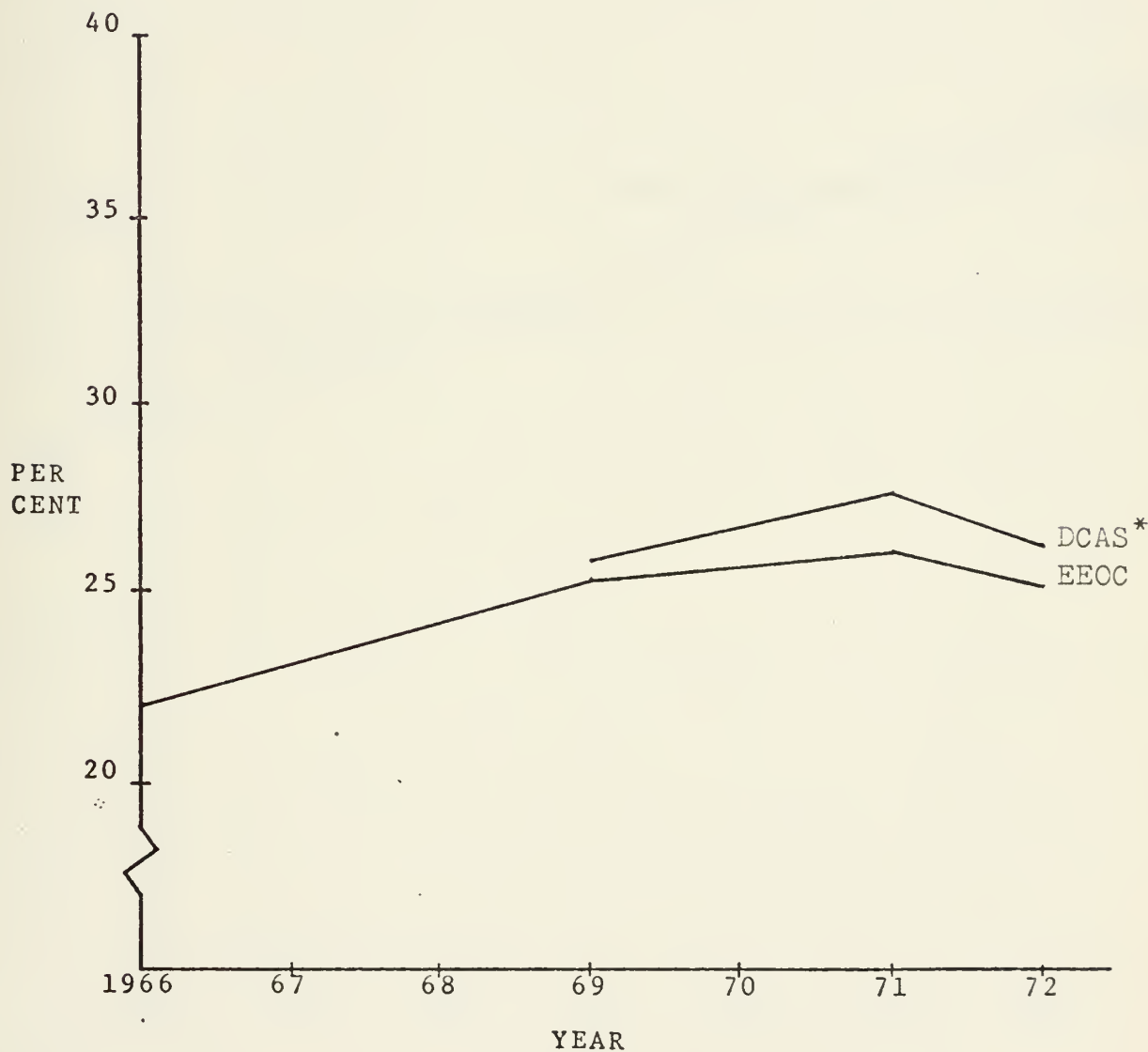
Figure 11 illustrates employment of non-whites in service worker occupations. Non-whites are shown to have been employed in much greater percentages in DCAS and EEOC data than should be expected, knowing that non-whites constitute only 11 percent of the U.S. labor force. A statistical comparison of employment levels for 1969, 1971, and 1972 showed no significant difference between DCAS and EEOC for any of the years. Figure 11 provides graphic evidence of the non-independence of the two sets of data.

4. Overall Summary of Findings for Non-whites

Figure 12 discloses an overall increase in the employment of non-whites by DOD contractors since 1966. Both EEOC and DCAS employment figures surpassed the national non-white employment average of 11 percent. A review of Figures 1 through 11 provides an appreciation for the structure of the employment data comprising the results shown in Figure 12. Non-white employment increased in all occupational categories, except laborers. However, the levels remain under 11 percent in white collar and craftsmen categories. With the exception of the high paying craftsmen category, non-whites are employed at a rate greater than 11 percent in blue collar and service jobs. The rise above the National level of 11 percent in Figure 12 is due to the preponderance of non-whites employed in lower paying operative, laborer and service categories.

FIGURE 11

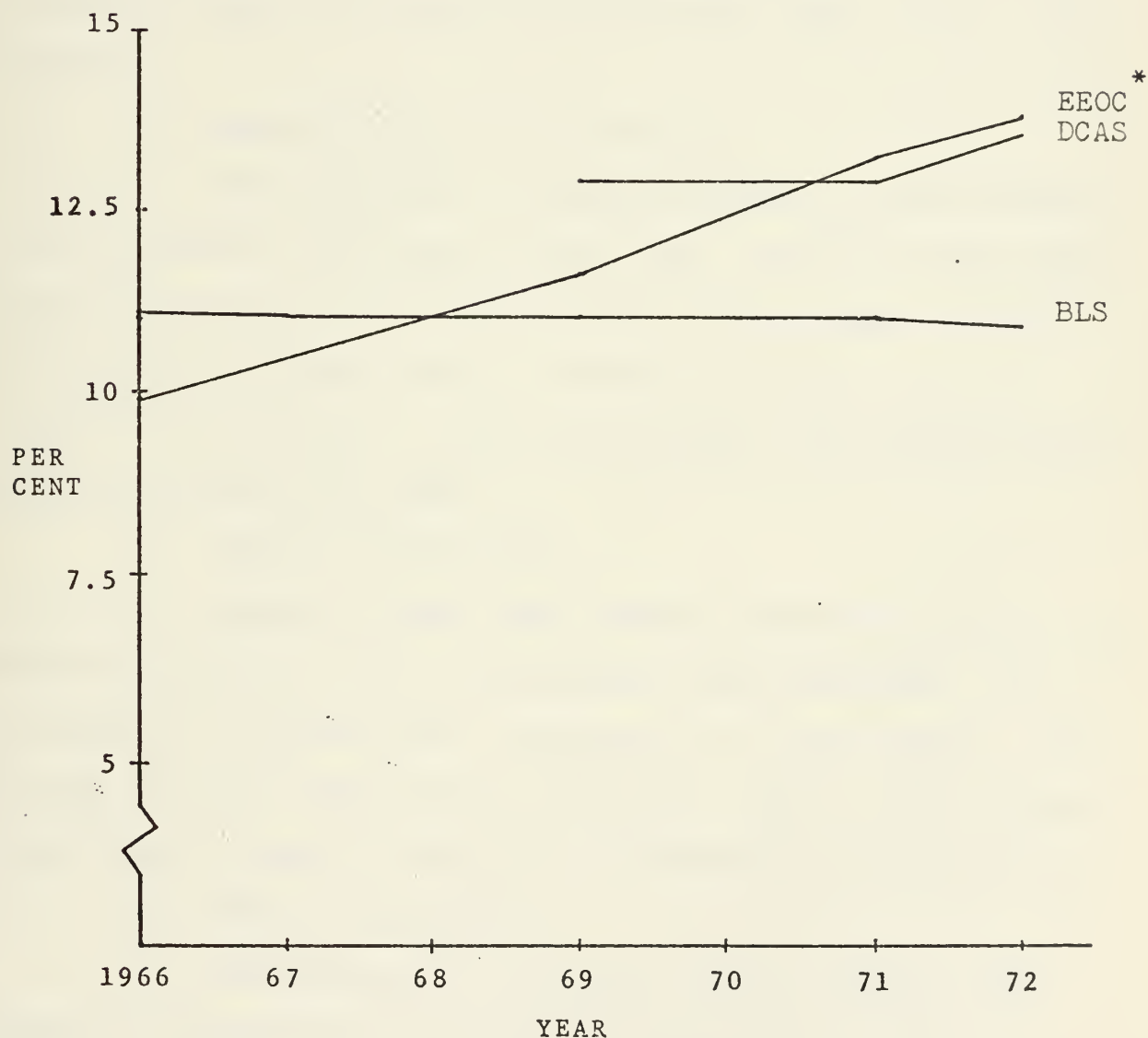
Non-white Service Workers as a Percentage of all Service Workers by year, DCAS and EEOC



* No significant difference between percentage of DCAS and EEOC for 1969, 1971, and 1972 using proportion comparison test.

FIGURE 12

Non-white Percentage of the U.S. Work Force vs. Percentage Non-white Employed in DCAS and EEOC monitored Industry, by year



* No significant difference between percentage of DCAS and EEOC for 1971, and 1972, using proportion comparison test.

B. RESULTS FOR FEMALES

1. Female White Collar Workers

Figure 13 depicts little change in the rate of employment of females in white collar jobs over time for both EEOC and DCAS data. A test of the percentages of EEOC and DCAS showed that they were significantly different with the EEOC percentage being the greater for all three years, 1969, 1971, and 1972.

a. Female Managers and Officials

The employment of females managers by DOD contractors has shown a slow growth since 1969. Figure 14 shows EEOC data for the same time period dropped off and then, in 1972, recovered in a rising trend. The gain in either case was slight. As in Figure 13, EEOC percentages were significantly greater than those for DCAS.

b. Female Professionals

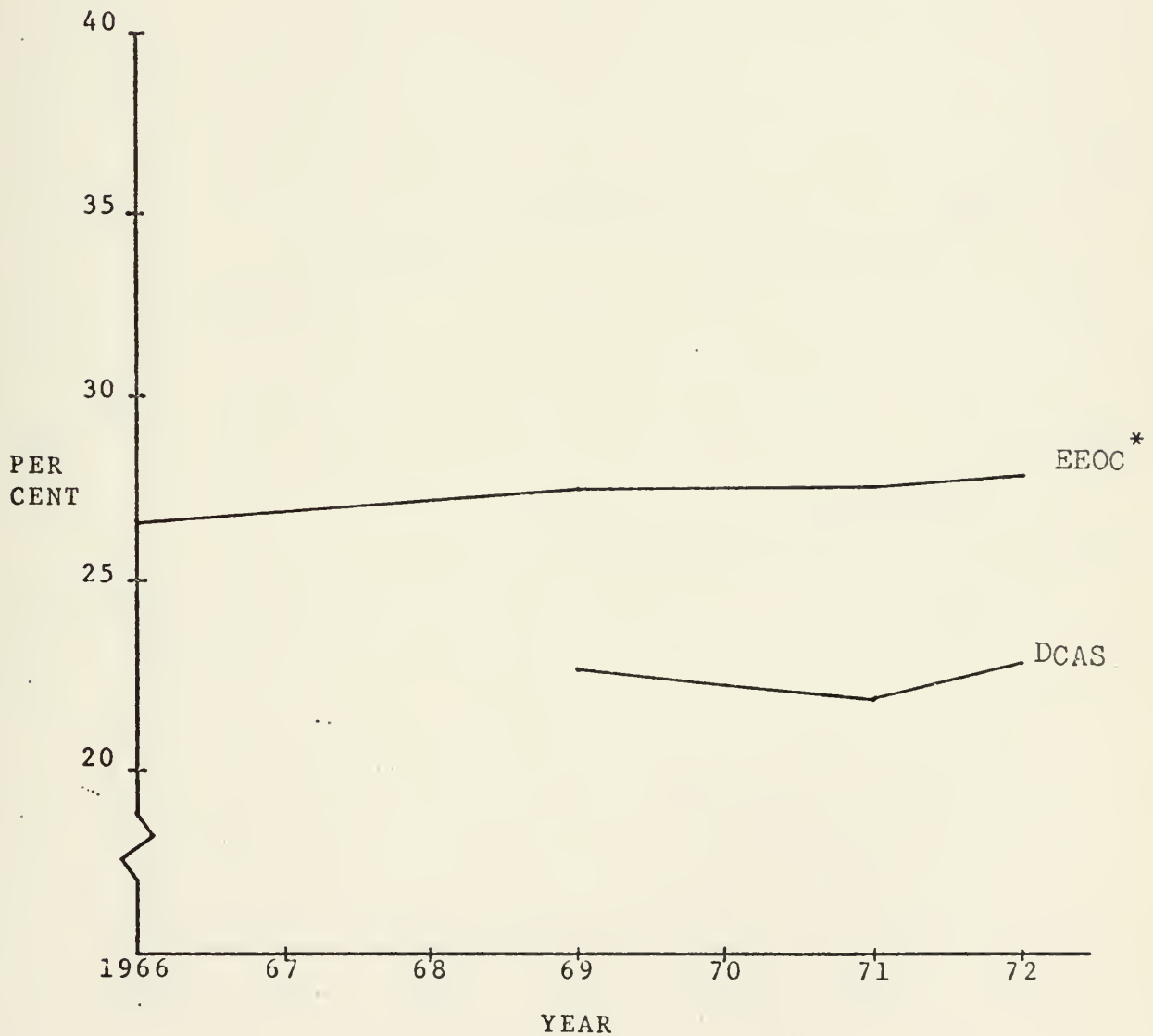
Figure 15 shows that females are raising their relative position in the professional worker category. The percentage of professionals increased at a rate slightly faster than that for officials and managers. Again, EEOC data was significantly greater than that of DCAS-monitored contractors.

c. Female Technicians

This category is the first one for females that showed no significant difference between EEOC and DCAS employment levels. Figure 16 shows an overall growth trend in this category for both data sources.

FIGURE 13

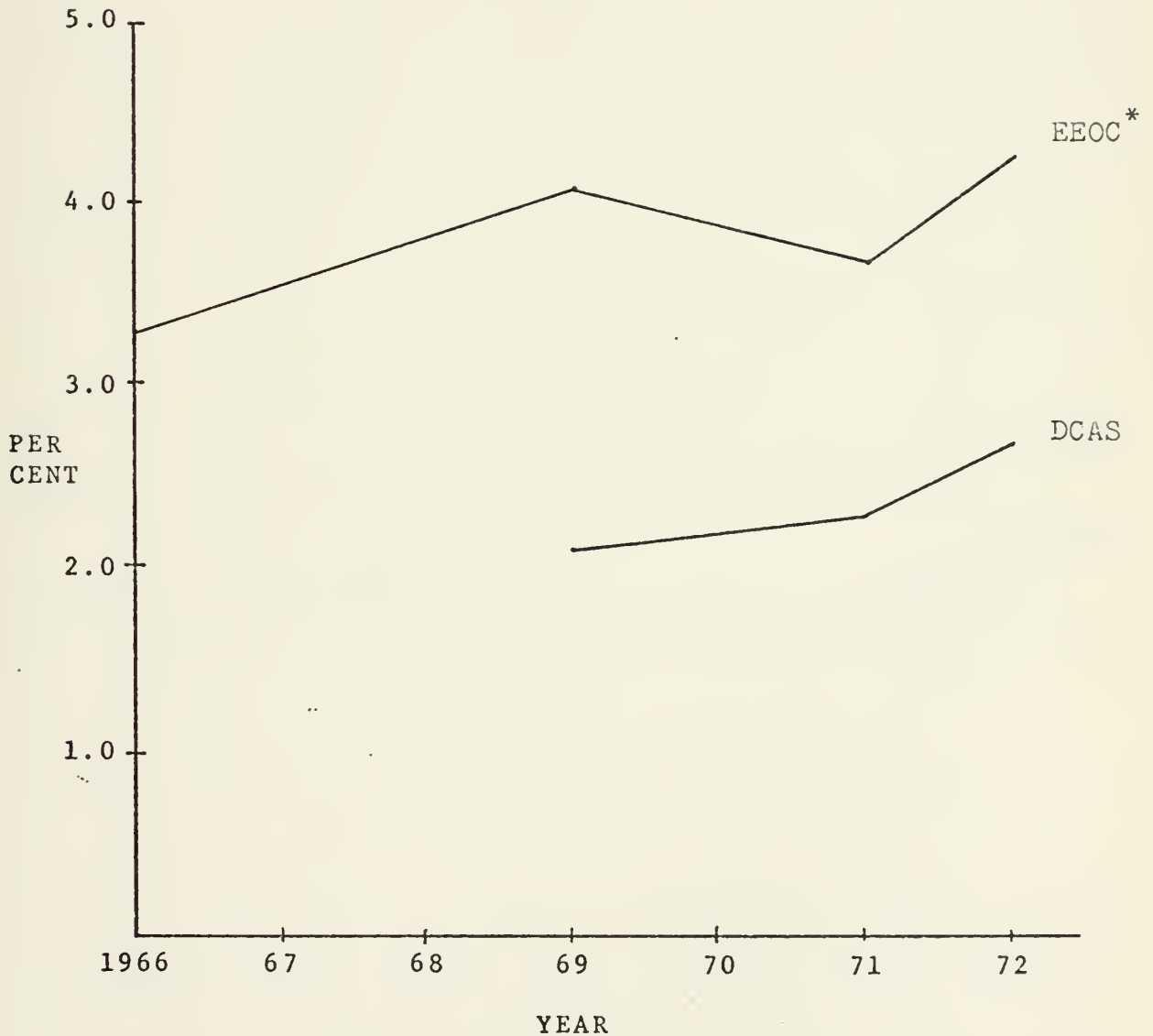
Female White Collar Workers as a Percentage of all
White Collar Workers by year, DCAS and EEOC



* Significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972 using proportion comparison test.

FIGURE 14

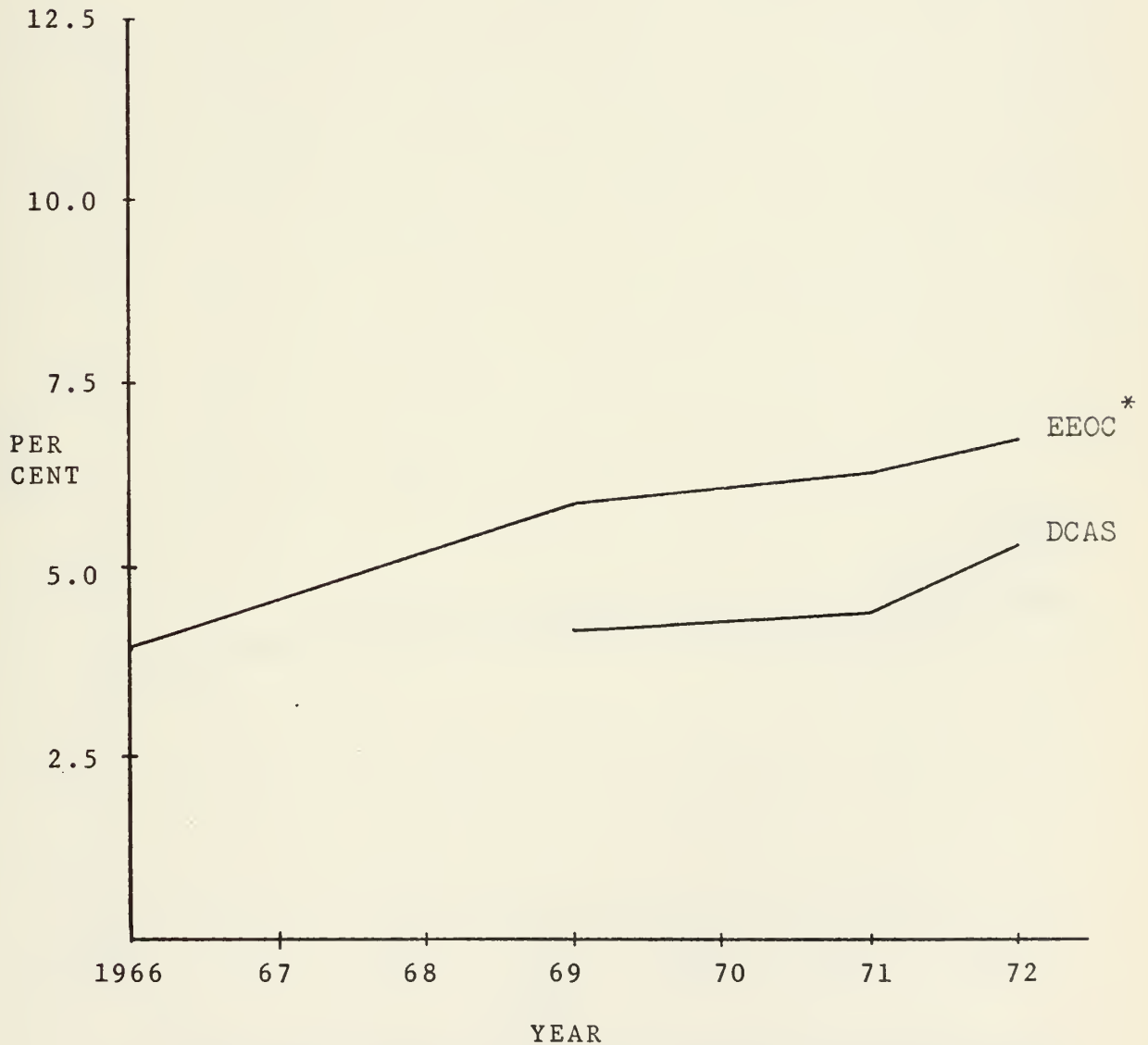
Female Managers and Officials as a Percentage of all
Managers and Officials by year, DCAS and EEOC



* Significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972, using proportion comparison test.

FIGURE 15

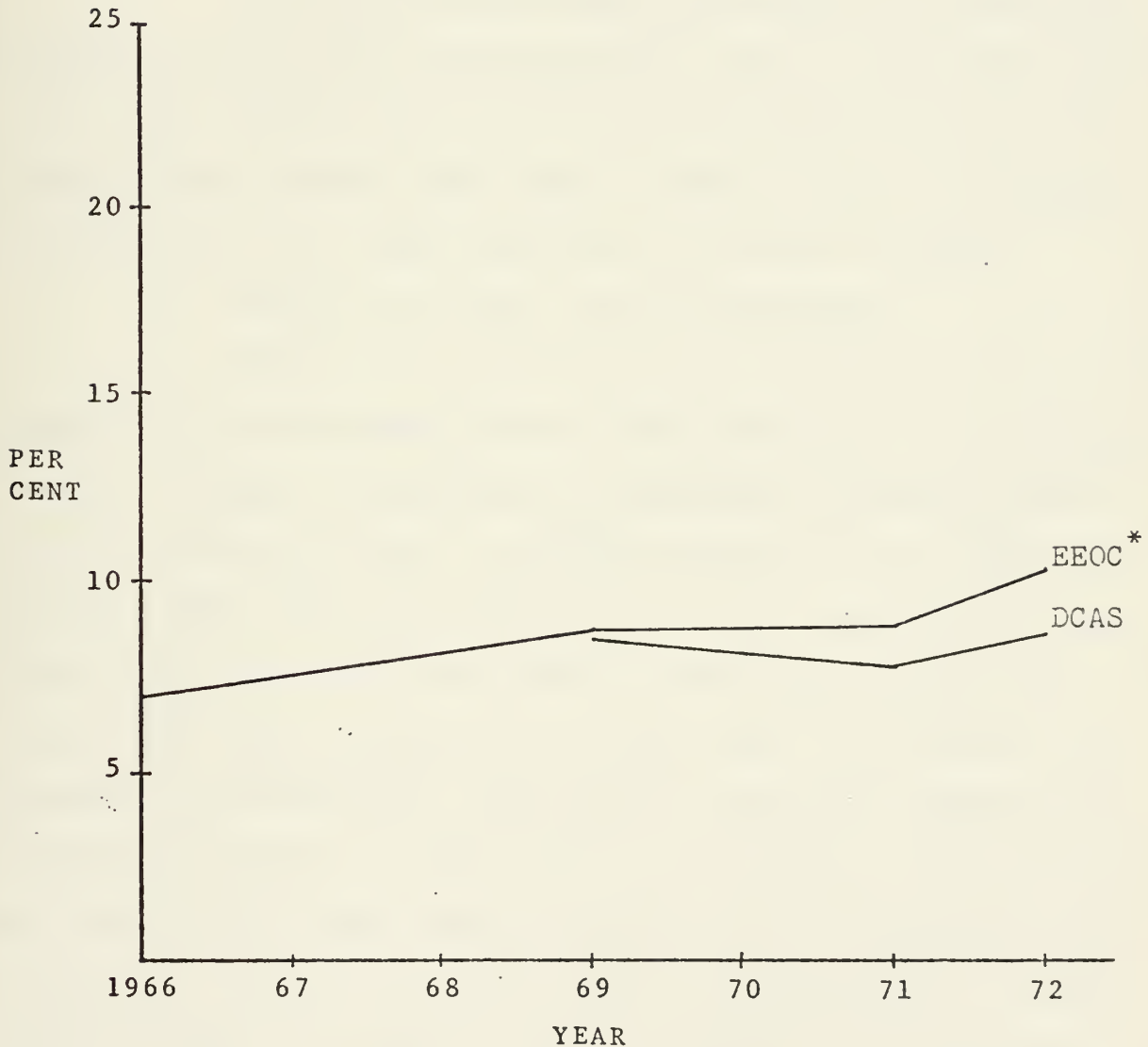
Female Professionals as a Percentage of all Professionals
by year, DCAS and EEOC



*Significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972, using proportion comparison test.

FIGURE 16

Female Technicians as a Percentage of all Technicians
by year, DCAS and EEOC



* No significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972, using proportion comparison test.

d. Female Sales Workers

Figure 17 shows an erratic movement across time in the DCAS data similar to that seen earlier (Figure 5) for non-white sales personnel. Again, the inconsistency was not explained in the nature of the DCAS data.

e. Female Clerical Workers

In 1969, DCAS and EEOC percentages of females in clerical occupations were essentially equal. Thereafter, however, they diverged until 1972 when the EEOC percentage was significantly greater than that for DCAS. Figure 18 depicts this growth in the EEOC employment of clerical females.

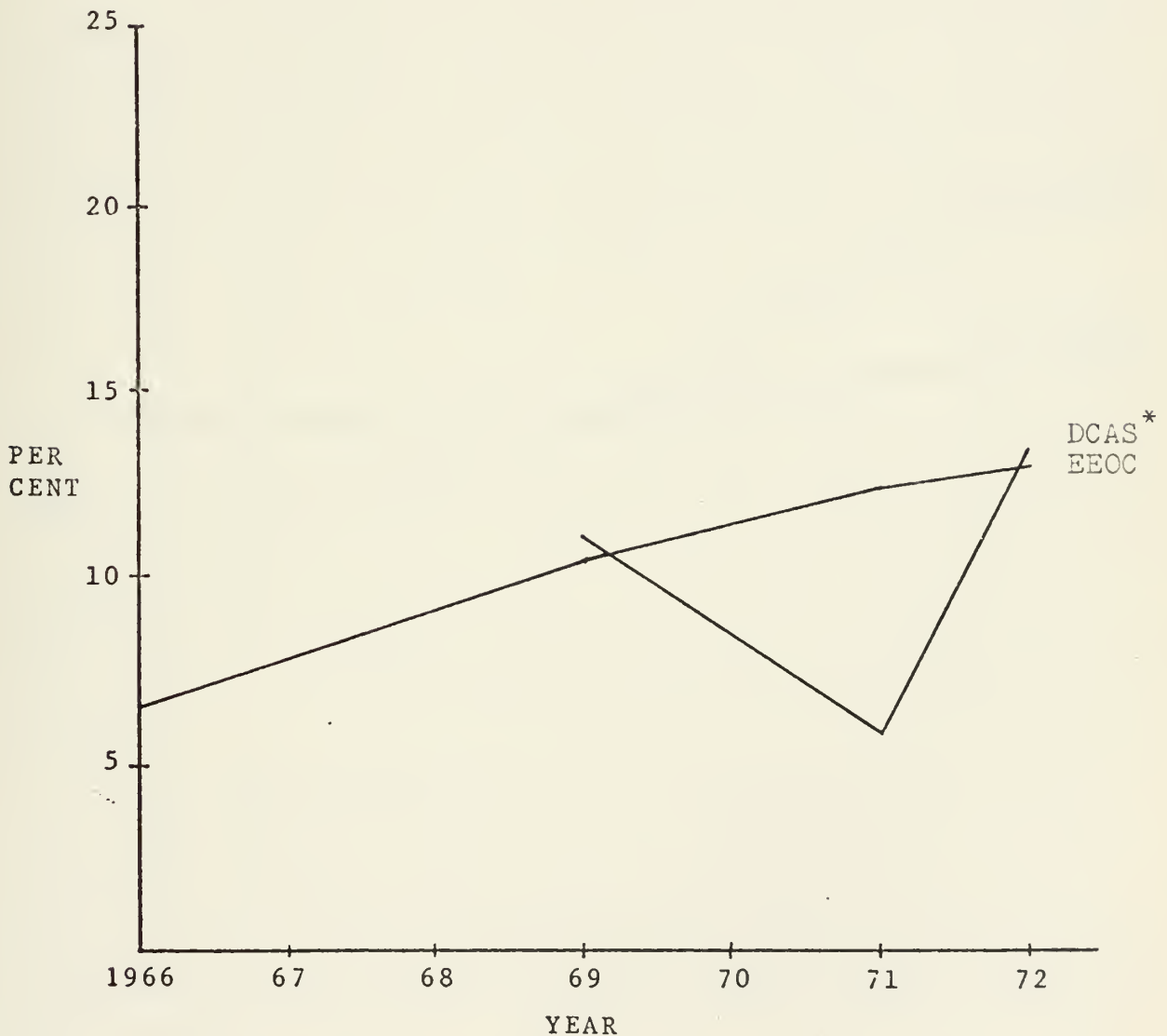
f. Summary for White Collar Occupations

Females are concentrated by percentage and by total numbers in the low paying white collar category for clerical workers. Figure 13 presents the percentage of female white collar workers as having remained between 27.6 and 28.0 percent for EEOC data and between 21.9 and 22.9 percent for DCAS data during the period 1969-1972. Reviewing Figures 14-17 shows that female employment was much lower as officials and managers, professionals, technicians, and sales workers than should be expected if they were to correspond to the trend for all white collar jobs shown in Figure 13. The basis for this disparity becomes clear when Figure 18, showing 60 to 70 percent of females in clerical jobs, is added to the aggregate.

Of special note is the fact that all categories, except technicians, showed EEOC percentages to be significantly greater than those of DOD contractors subject to DCAS enforcement policy.

FIGURE 17

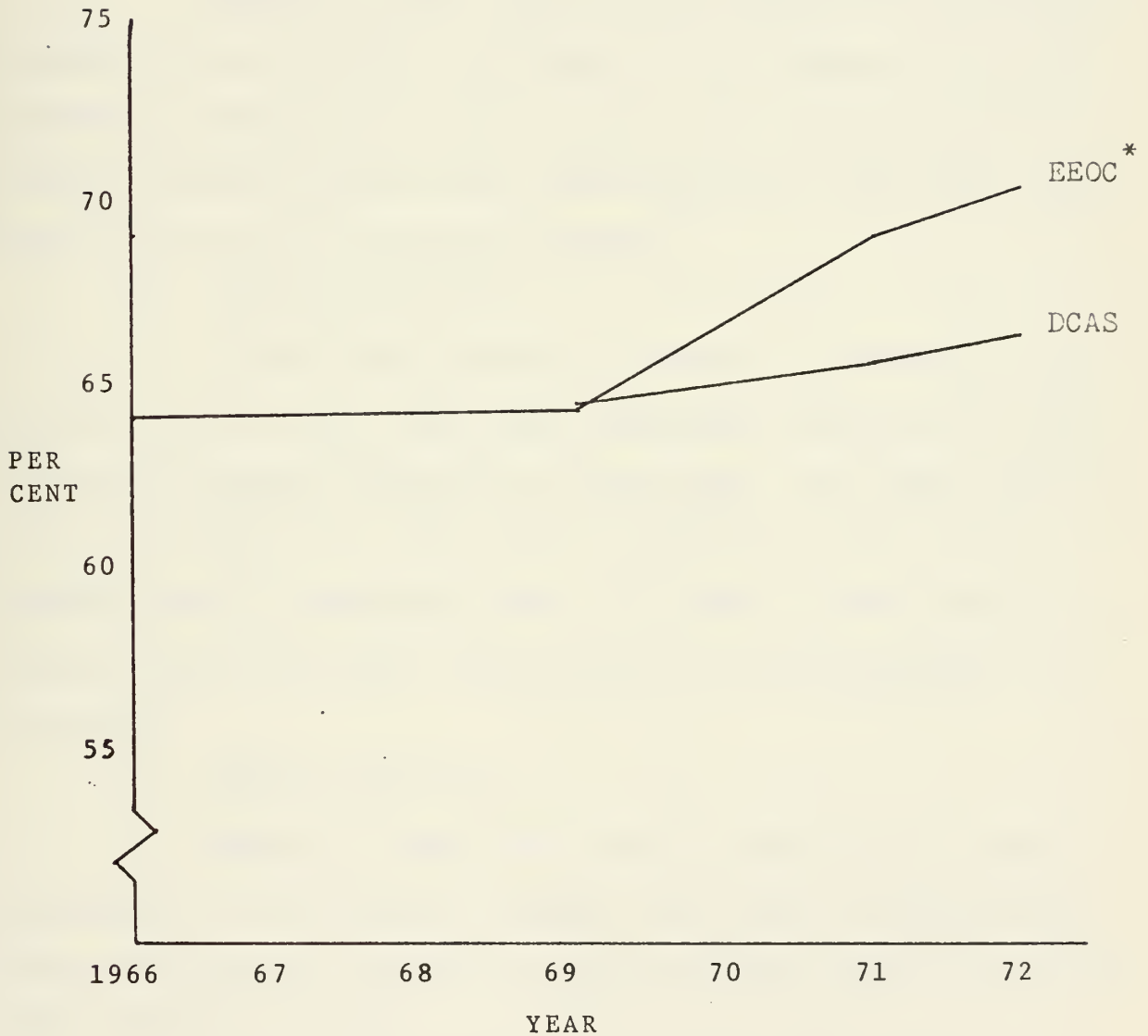
Female Sales Workers as a Percentage of all Sales Workers
by year, DCAS and EEOC



*Significant difference between percentages of DCAS and EEOC for 1971, using proportion comparison test.

FIGURE 18

Female Clerical Workers as a Percentage of all Clerical
Workers by year, DCAS and EEOC



* Significant difference between percentages of DCAS and EEOC for 1971, and 1972, using proportion comparison test.

2. Female Blue Collar Workers

Figure 19 shows EEOC percentages to be significantly greater than DCAS percentages for 1969, 1971, and 1972. Although both DCAS and EEOC percentages fell off in 1971, they recovered in 1972 for a slight overall gain over 1969.

a. Female Craftsmen

Figure 20 shows that, in the high paying craftsmen category, there has been relatively little change in the employment of females over time. There was a significant difference between EEOC and DCAS percentages for each year, with EEOC levels being consistently higher.

b. Female Operatives

As with the majority of female occupational categories, this one also shows EEOC employment levels to be significantly greater than those of DCAS firms. The sharp dip in both curves about the 1971 point in Figure 21 cannot be explained from the available data. It seems to have been an industry-wide occurrence emphasizing the non-independence of this data.

c. Female Laborers

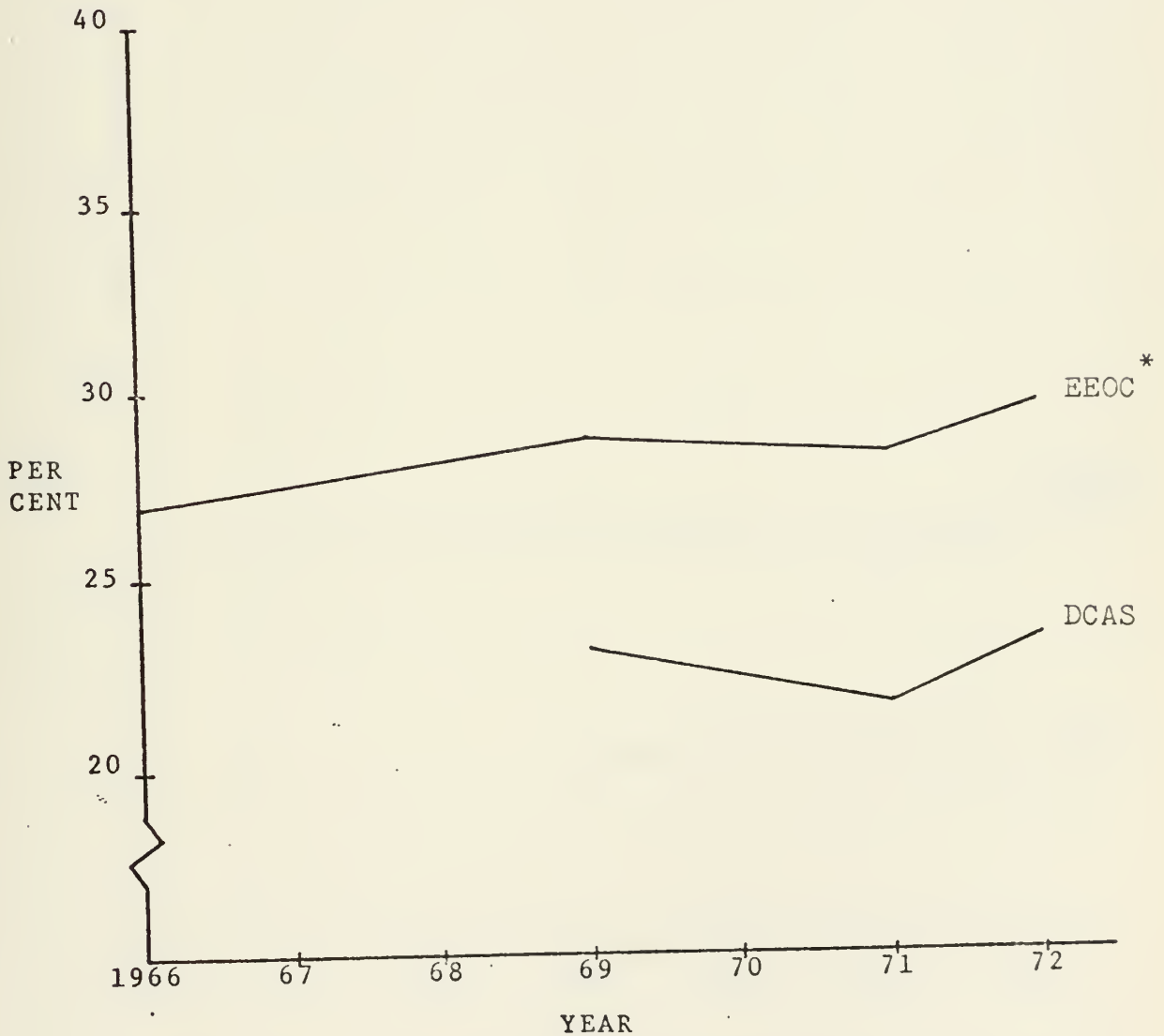
Figure 22 shows the relative stability of female employment of the laborers category over time. DCAS percentages were closely aligned with those of EEOC, achieving statistical equality in 1971.

d. Summary for Blue Collar Workers

Females in blue collar occupations are concentrated in the lower paying categories of operatives and laborers,

FIGURE 19

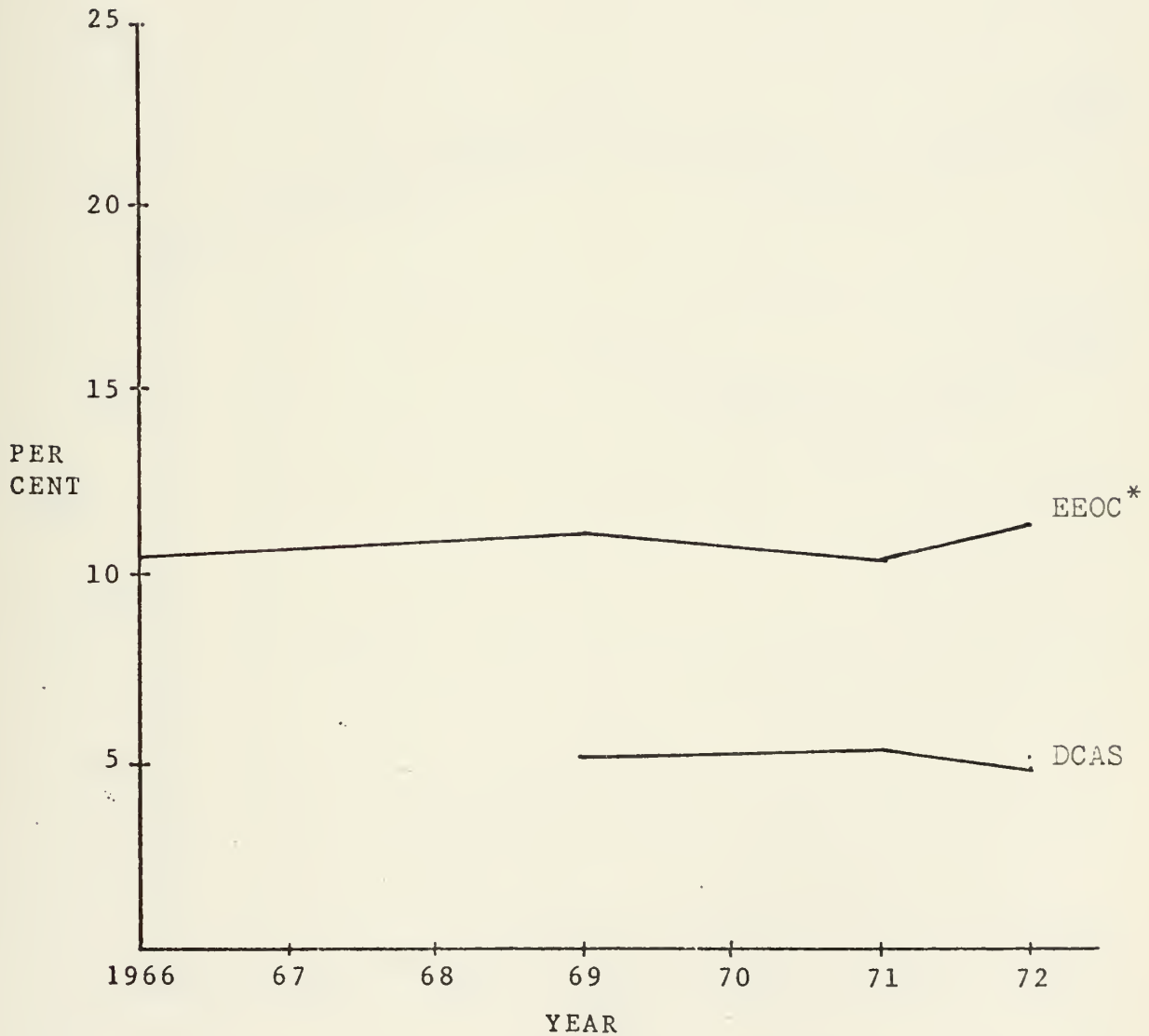
Female Blue Collar Workers as a Percentage of all Blue Collar Workers by year, DCAS and EEOC



*Significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972, using Proportion comparison test.

FIGURE 20

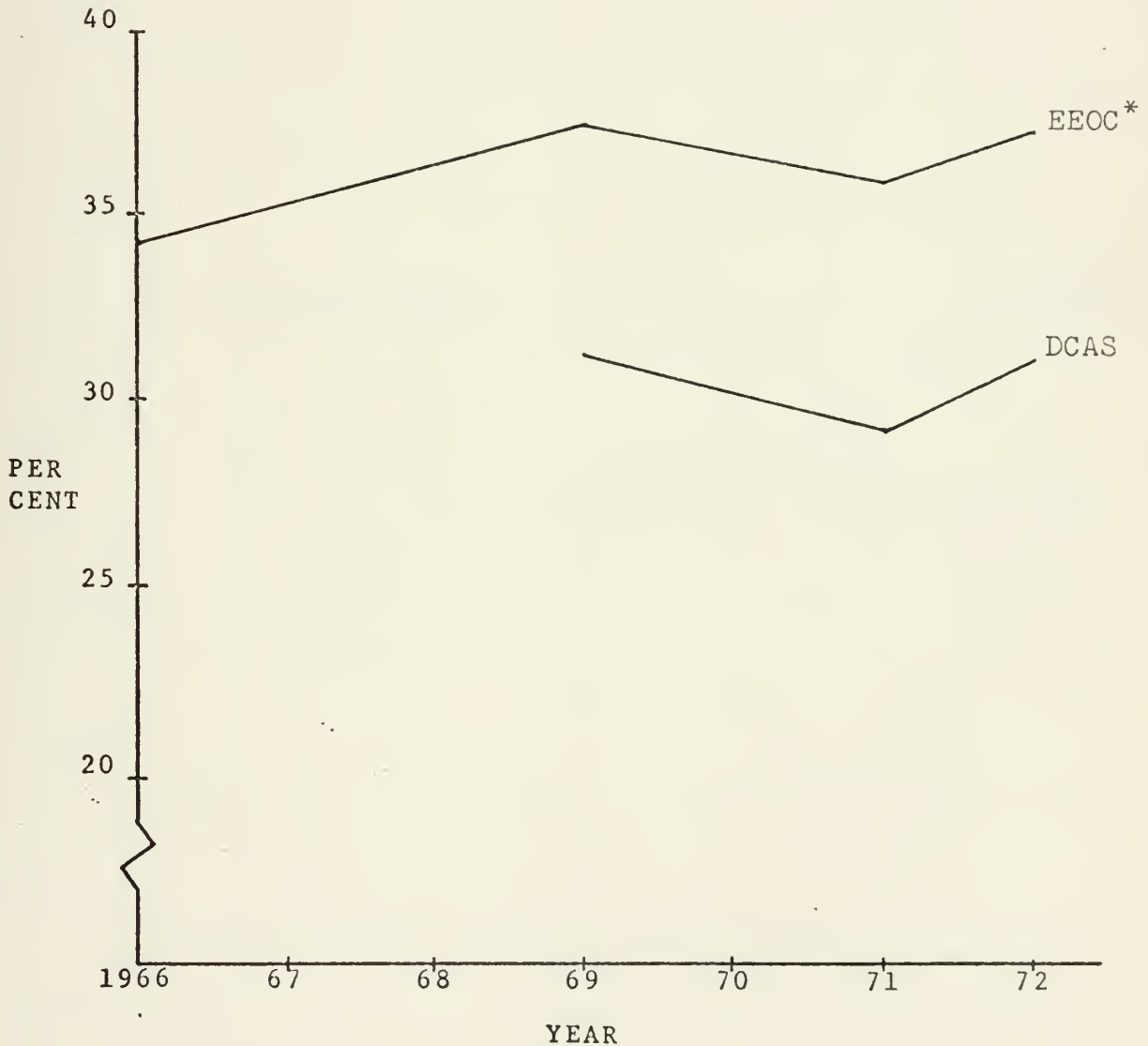
Female Craftsmen as a Percentage of all Craftsmen by
year, DCAS and EEOC



* Significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972, using proportion comparison test.

FIGURE 21

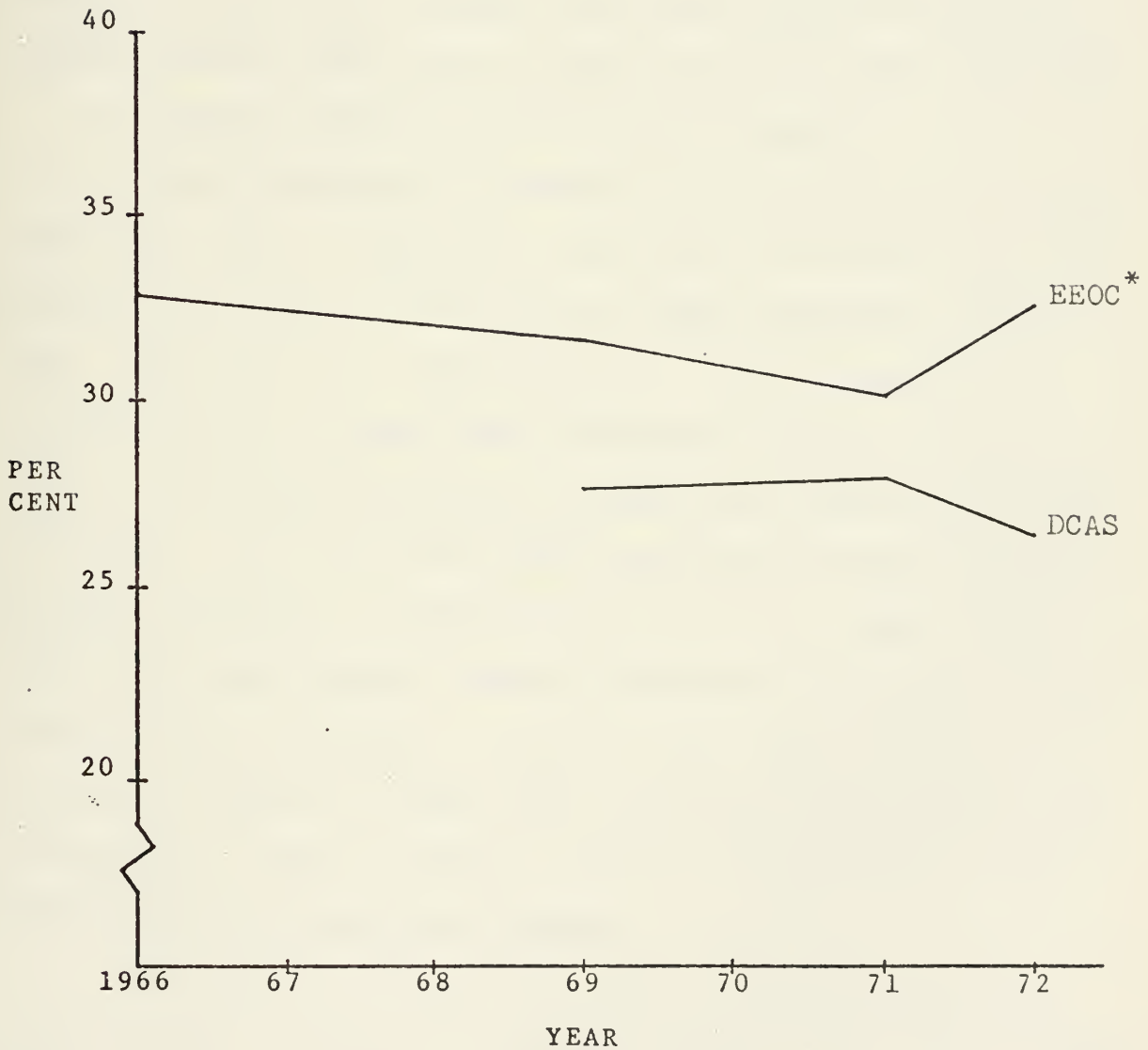
Female Operatives as a Percentage of all Operatives
by year, DCAS and EEOC



*Significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972, using proportion comparison test.

FIGURE 22

Female Laborers as a Percentage of all Laborers by year
DCAS and EEOC



*Significant difference between percentages of DCAS and EEOC for 1969, and 1972, using proportion comparison test.

according to both DCAS and EEOC data sources. In each of the three blue collar categories, EEOC percentages were significantly greater than those of DCAS.

3. Female Service Workers

Figure 23 repeats two major aspects of the figures pertaining to females. It exhibits little overall growth in percentage over time and EEOC percentage points are significantly greater than those of DCAS for 1969, 1971, and 1972.

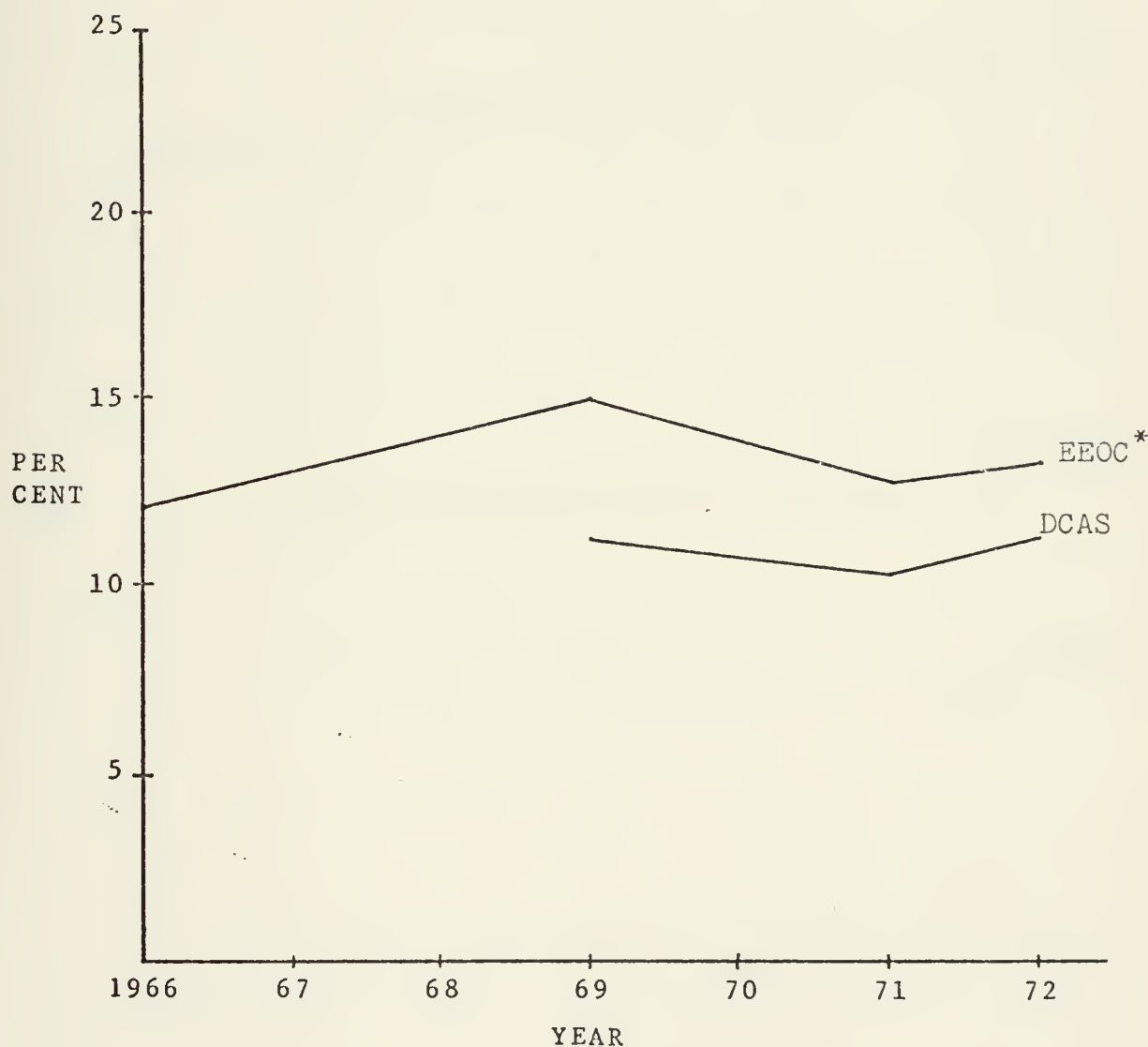
4. Overall Summary of Findings for Females

The percentage of females in the labor force (all occupations) seen in Figure 24, has shown a very slow rate of growth, according to both DCAS and EEOC statistics, since 1969. The BLS line, representing the total percentage of women in the U.S. labor force, displays a similar rate of growth. It is not possible to compare BLS data with EEOC or DCAS data. It is true that EEOC and DCAS data are subsets of BLS data, however, the similarity ends there. BLS figures include such traditionally female occupations as nurses, school teachers, and waitresses. EEOC and DCAS data are limited to statistics from the 14 SIC-coded industries representing DOD contractors. School teachers, nurses and waitresses do not figure greatly in Defense industry.

The chief finding in the case of females was that, almost without exception, EEOC percentages were significantly greater than those of DOD contractors. There are two possible explanations for the difference. First, contractors may inflate the figures filed annually with the EEOC, but are forced to produce valid figures when a compliance specialist from DCAS

FIGURE 23

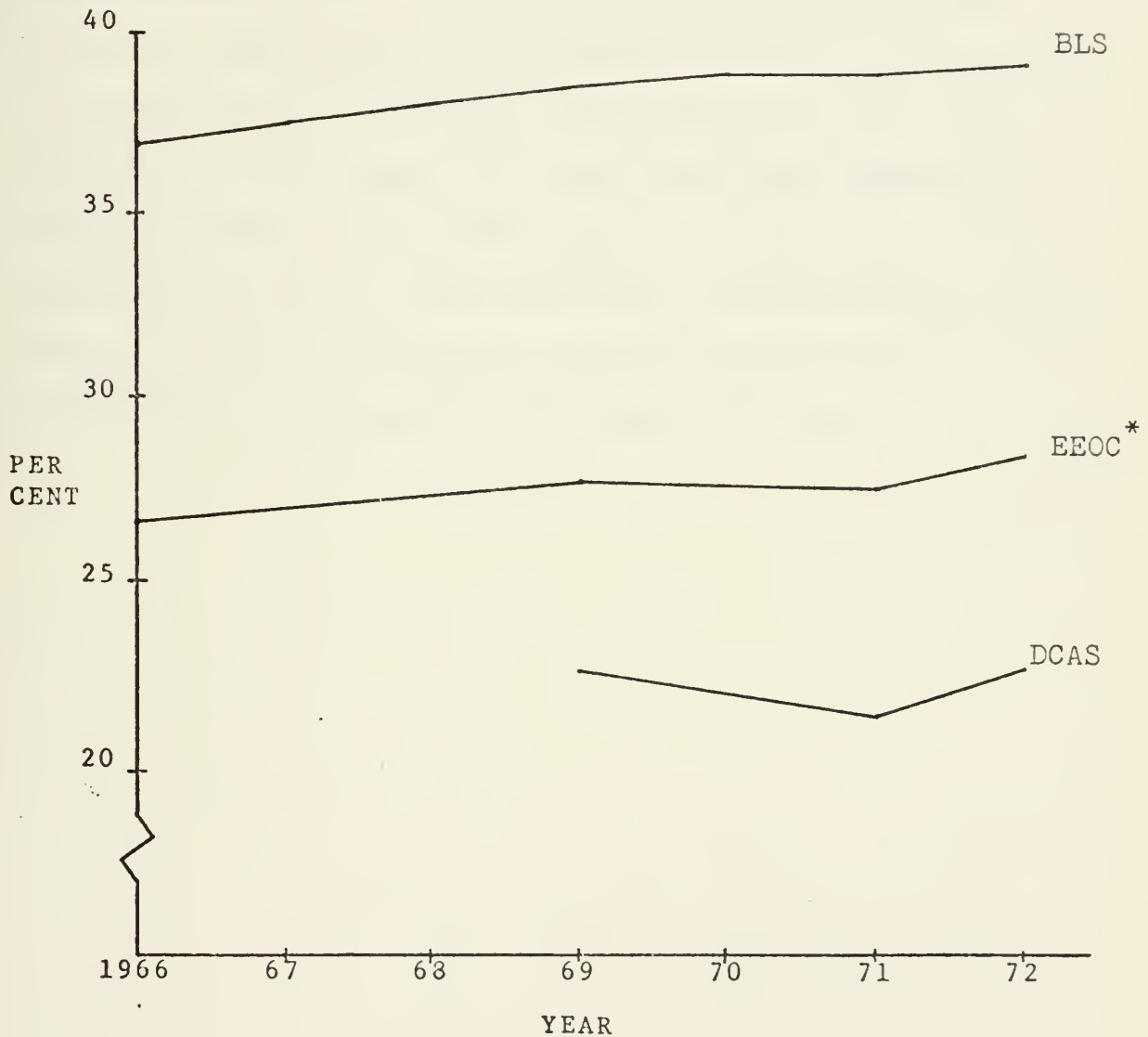
Female Service Workers as a Percentage of all Service Workers by year, DCAS and EEOC



*Significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972, using proportion comparison test.

FIGURE 24

Female Percentage of the U.S. Work Force vs. Percentage Female employed in DCAS and EEOC monitored Industry, by year.



* Significant difference between percentages of DCAS and EEOC for 1969, 1971, and 1972 using proportion comparison test.

inspects their plants. This reasoning might have some appeal if the significant differences existed in only a few of the categories. The second explanation might be that non-Governmental contractors in the industries belonging to the SIC's for which DCAS has enforcement responsibility consistently outperform DOD industry. With some further explanation this second explanation becomes more credible. DOD enters into contracts with approximately 50 percent of all industries in the 14 SIC-coded industries under DCAS cognizance.⁴ This means that DCAS controlled industries make up 50 percent of the EEOC data. For EEOC data to be significantly greater than DCAS data, non-Governmental contractors in the 14 SIC-coded industries must average at percentage levels much greater than DOD industries.

⁴The 50 percent figure was given as an estimate by an official of DCAS.

IV. CONCLUSIONS

A. NON-WHITES

Non-whites are subjected to the same discrimination from DOD contractors that they face in U.S. industry as a whole. They are underrepresented in the higher paying jobs and overrepresented in the lower paying jobs. DCAS and EEOC data depict this clearly. Although not directly a part of the analysis of this study, it is of some importance that a comparison of DCAS and EEOC statistics with those of BLS found both EEOC and DCAS data for the 14 SIC-coded industries lagging considerably behind in higher paying occupations and exceeding the National average in the lower paying categories. There are difficulties in accurately comparing data for all U.S. industry with DOD industry; it was not an objective of this study to do so. The point to be made by mentioning the disparities between DCAS and EEOC data with that of BLS is that DOD contractors have more particular problems in achieving equality of employment for non-whites than does the average of the U.S. industry. To put the problem in perspective it is helpful to examine the record of DCAS in raising the employment of non-whites in white collar jobs. If the current growth of employment of non-whites in white collar jobs continues, non-whites will be employed at a percentage equal to their proportion of the labor force, 11 percent, in 1985.

The conclusion drawn above offers nothing new to the body of research in equal employment opportunity. The contribution

here concerns the effectiveness of a Governmental agency, DCAS, in enforcing E.E.O. through Government contracts. The conclusion, supported by the study's findings for non-whites, is that it is not clear that there is a measurable benefit associated with the output of the DCAS compliance program. The findings for non-whites, almost without exception, showed no significant difference between the output of EEOC and DCAS. This lack of difference leads to the conclusion that there would be little, if any, degradation in the E.E.O. performance of DOD contractors if DCAS ceased enforcing E.E.O. through contracts.⁵

B. FEMALES

Women, too, are subjected to similar discrimination in DCAS and EEOC SIC-coded industry that they face in total U.S. industry. As was found for non-whites, females are underrepresented in higher paying jobs and overrepresented in lower paying jobs. This is no surprise. The literature in the area of E.E.O. has recognized this fact for many years.

The rather surprising conclusion that can be drawn from the findings of this report for females is that the operation of DCAS, in enforcing E.E.O. for women in Defense industry, has failed to serve the overall progress of females. EEOC data clearly and significantly exceeded that of DCAS.

⁵There was considerable difficulty encountered in obtaining data from DCAS. Repeated requests were answered by delay until the data was finally forwarded.

C. SUMMARY

There is reason to believe, based on the findings of this report, for non-whites and females, that there would be no serious degradation of the E.E.O. performance of DOD contractors if DCAS ceased its enforcement functions. Further, the findings suggest that DCAS has failed to meaningfully serve the E.E.O. needs of women in DOD industry.

The Secretary of Defense strongly endorses the E.E.O. policy spelled out in Executive Order 11246, as amended. His statement of policy concerning the Department of Defense Human Goals Program made his position very clear:

"The attainment of these goals requires that we strive.....to make military and civilian service in the Department of Defense a model of equal opportunity for all regardless of race, sex, creed or national origin, and to hold those who do business with the Department to full compliance with the policy of equal employment opportunity."

The findings of this study raise serious questions about the ability of DOD, through DCAS, to carry out its stated policy.

The possible reasons for this inability to enforce E.E.O. are varied. The U.S. Civil Rights Commission has documented the lack of coordination between EEOC and the Office of Federal Contract Compliance, OFCC (U.S. Commission on Civil Rights, 1971a,b,c, 1973). It sees this as a detriment to the fulfillment of E.E.O. policy. The lack of coordination with EEOC carries over into the operation of the Office of Contract Compliance in DCAS. (Appendix III spells out the relationship of OFCC to DCAS.)

Mr. John M. Heneghan, of the Civil Rights Division of the Maritime Administration, has agreed that there is a lack of Coordination between OFCC and EEOC and suggests that the thrust of Governmental agencies in E.E.O. enforcement has been misdirected by the emphasis on "affirmative action." He maintains that the nature of discrimination today is systemic. Systemic discrimination is found in practices that appear on the surface to be neutral, but, in fact, serve to enhance discrimination. Selection criteria, seniority systems, employee referall systems, and testing techniques are practices that perpetuate systemic discrimination. Until 1971, the OFCC, in emphasizing the concept of affirmative action, had not addressed systemic discrimination.

Nathan N. Holden, a member of Study Group #2 of the Commission of Government Procurement, could not agree with the majority opinion of his committee's report that the benefits of the E.E.O. program outweigh the cost. He suggested in a dissenting opinion, that the existance of the compliance agency within the procuring agency presents a conflict of interest. Of primary importance to the procuring agency is the timely delivery of the end product. Enforcement of a social program through sanctions that serve to delay the timely delivery of the end product is in direct conflict with the primary mission of the procuring agency.

Regardless of the underlying reason, or reasons, for the questionable benefit of the DCAS enforcement effort, millions of dollars in direct and indirect costs are being applied

annually to it. The direct costs are visible in the budgetary figures of DOD. DCAS received \$8.4 million for its fiscal year 74 operation of headquarters and regional office network. The indirect costs are undeterminable. The general categories of indirect costs can be identified, but it is not reasonable to place definitive values to those costs. Most contractors cannot, or will not, put a price on the maintenance of affirmative action in their plants and organizations. Nevertheless, the procuring activity pays the price through the allocation of contractor overhead. The fact that E.E.O. is a contractual requirement adds administrative costs. The procuring agency passes the requirement to the prime contractor and the prime passes the requirement to the various subcontractors.

The contracting officer for the procuring agency must become an expert in E.E.O., as well as a multitude of other social programs, in order to successfully administer his contracts. (Appendix I provides a list of programs that have resulted in a standard contract clause). His role is over-defined, thus his effectiveness is limited. The contracting officer is the one who must have a key part in the decision to exercise one of the sanctions against a contractor who is found in non-compliance (ASPR 12-800). He is charged with bringing a contract to fulfillment on time, at a minimum cost. He must by definition of his job abhor delay. He cannot be expected to impose sanctions of behalf of a social program that in no way improves the quality of the end product.

The E.E.O. program should be removed from the responsibility of the procuring agency. The enforcement of contract compliance

required by Executive Order 11246 should be assigned to an agency, such as EEOC, that is divorced from the procurement process. Relieved of the role of enforcer, the procuring agency, DOD in this case, could turn to other means of achieving the objectives of E.E.O.

The final report of the Commission on Government Procurement consisted of the consolidated findings, conclusions and recommendations of 15 different study groups. In its report (Commission on Government Procurement, 1972), the Commission suggested the following means for achieving National objectives: Tax benefits, licenses and privileges, grants of money for capital and equipment, and other instruments to discourage certain types of conduct and to encourage others. In keeping with these suggestions is the idea that E.E.O. could be made subject to contract incentive. The system of goals and timetables that have come to be identified with affirmative action plans is conceptually sound and should remain in effect. Early achievement of stated goals by DOD contractors should be encouraged through incentives in contracts much as cost, schedule, and technical performance are controlled by built-in incentives in many contracts today.

D. FURTHER RESEARCH

The effectiveness of Federal procurement in achieving social goals is open to question on a cost-benefit basis. This is especially true where there is a dual system of enforcing the particular program inside and outside the procurement process. The Department of Defense is the best

place to begin the examination of any social program tied to the procurement process since DOD does such a large share of Federal contracting.

The fourteen other Governmental agencies engaged in E.E.O. contract compliance should be subjected to the same analysis found in this study. Compilation of the results of this and similar studies done of the other agencies could provide a basis for definitive statements about the use of Federal procurement to further the cause of equal employment opportunity. Such results might also provide a basis for changes in the existing legislation and executive orders to bring about a real improvement in the performance of Federal Government contractors in administering their E.E.O. programs.

E. SUGGESTIONS FOR BENCHMARKS BY WHICH TO GAUGE DOD E.E.O CONTRACT COMPLIANCE EFFORTS

It is admittedly utopian to suggest that Defense contractors should be employing non-whites in all occupational categories at a rate equal to the non-white percentage of the work force. Were this the case, however, cumulative statistics gathered from all Defense contractors would show non-whites employed at a current level of 11.0 percent, equal to the non-white portion of the labor force. Such a utopian goal requires total equality among all races in all facets of life and, in a practical sense, is unreachable in the short run.

There is, however, a more practical goal that lies in the grasp of DOD industry. This goal depends on the assumption that only one type of discrimination exists: discrimination of education. It also depends on the total elimination of systemic discrimination in contractor practices. If discrimination in education were the only bias in society, it should be reasonable to assume that those non-whites who were able to overcome the educational barriers and graduate from high school and college should be able to compete in employment with those whites holding similar degrees.

Bureau of Labor Statistics figures show that the median years education for white collar workers over the past twenty-five years has averaged 12.5 years (Statistical Abstract, 1972). It is safe to assume that the minimum requirement for employment in White Collar jobs is that the employee have at least a high school education. Therefore a second, more practical, measure of compliance efforts, would be to employ non-whites

in white collar jobs based on their educational level. Such a goal could be determined by computing the ratio of non-white workers with, at least, a high school degree to the total of white collar jobs available in industry. Signifying this ratio by:

$$\frac{N-WHS}{WC} = \frac{\text{Non-white workers with a high school degree}}{\text{White Collar jobs available in industry}}$$

and plotting it over time produces the result shown in Figure 25. Comparing the N-WHS/WC ratio over time to the actual percentage of non-whites in white collar jobs in DOD industry shows the level of improvement required by DOD industry.

A similar rationale could be applied to the category of professional and technical workers for determining an attainable goal. Over the past twenty-five years, the median number of years schooling of professional and technical workers has averaged 16.3 years. The assumption follows that a minimum requirement for employment in professional and technical jobs is that the employee have at least a college degree. A goal for professional and technical workers would be determined by computing the ratio of non-whites with at least a college degree to the total number of professional and technical jobs available in industry. Signifying this ratio by:

$$\frac{N-WCOL}{P\&T} = \frac{\text{Non-white workers with a College degree}}{\text{Professional and Technical jobs in industry}}$$

and plotting it over time produces the result shown in Figure 26. Comparing the N-WCOL/P&T ratio over time with an aggregate

FIGURE 25

N-WHS/WC vs. Percentage Non-white Employed in White Collar Jobs in DOD Industry, by year

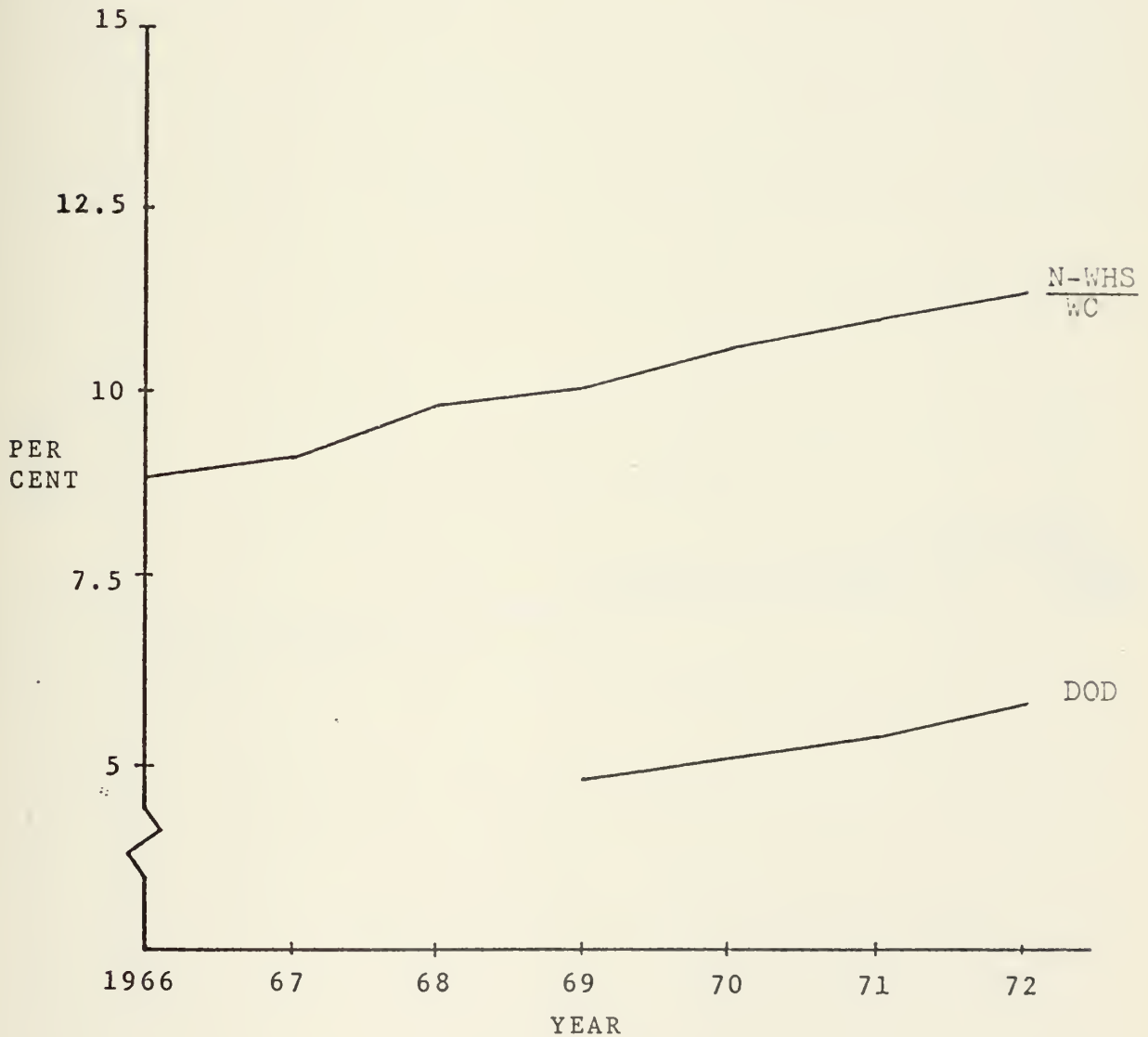
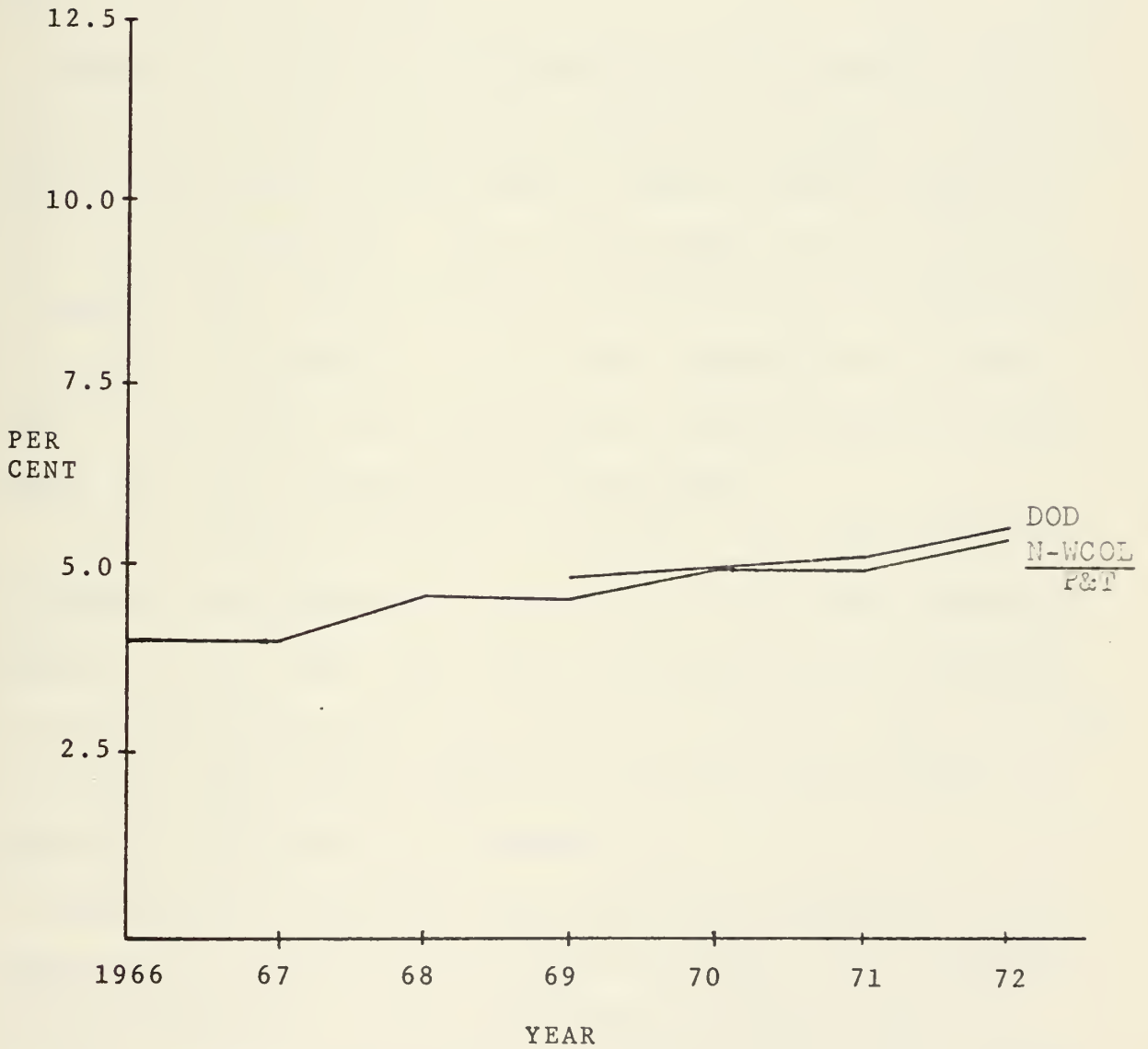


FIGURE 26

N-WCOL/P&T vs. Percentage Non-white Employed in Professional and Technical Jobs in DOD Industry, by year



of the categories of professional and technical for DOD industry shows that DOD industry is hiring non-whites in professional and technical occupations at a rate equal to the percentage of those non-whites with college degrees. An inference that can be drawn is that DOD industry respects higher education and seeks to use all available talent, at that level, regardless of color.

Females are also underrepresented in DOD industry. Determining goals for use by DOD compliance personnel in measuring industry effort in the case of women is not as clear-cut as it is for non-whites. Many women choose not to work and to suggest that females should be employed in all occupational categories in proportion to the female population is unrealistic in the short run, given current cultural norms that are beyond the pale of DOD policy to ameliorate.

It is realistic, however, to suggest that women should be distributed throughout the occupations in the same percentage they hold in the total work force. The percentage of females in the labor force has risen from 35.8 in 1964 to 39.1 in 1972. All things being equal, Females should hold approximately 39 percent of all jobs in all occupations.

Applying the rationale that educational attainment is an indicator of eligibility for particular jobs, it is possible to establish goals for the employment of women in DOD industry. Computing the ratio of females with at least a high school degree to the number of white collar jobs in industry

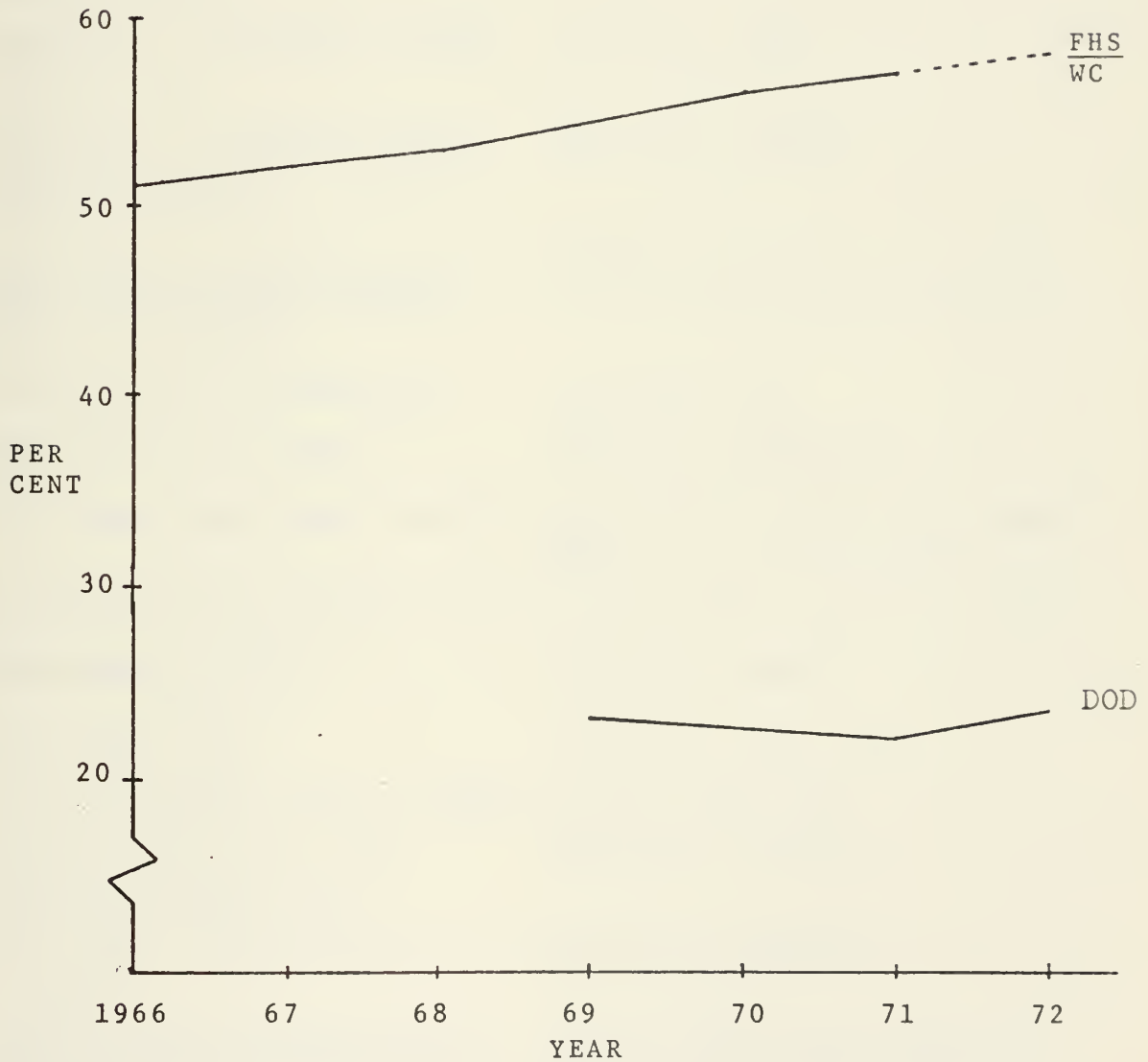
provides a goal similar to that already discussed for non-whites. Signifying the ratio by:

$$\frac{\text{FHS}}{\text{WC}} = \frac{\text{Female workers with a high school degree}}{\text{White Collar jobs available in industry}}$$

and plotting it over time produces the results in Figure 27. Figure 27 shows that on a nation-wide basis there are more than enough females with high school degrees to meet the goal of employing female white collar workers in an equal percentage to that of the female labor force. DOD industry would not have to exhaust the supply of qualified females to meet this goal.

FIGURE 27

FHS/WC vs. Percentage Female Employed in White Collar
Jobs in DOD Industry, by year



APPENDIX I
SOCIAL AND ECONOMIC PROGRAMS

<u>Programs</u>	<u>Authority</u>
Buy American Act*	41 U.S.C. 10a-10d
Preference for United States Manufacturers	22 U.S.C. 295a
Preference for United States Manufacturers	16 U.S.C. 560a
Preference for United States Products (Military Assistance Programs)*	22 U.S.C. 2354(a)
Preference for United States Food, Clothing and Fibers (Berry Amendment)*	Public Law 91-171, sec.624
Officials Not to Benefit*	41 U.S.C. 22
Clean Air Act of 1970	42 U.S.C. 1857h-4
Equal Employment Opportunity*	Exec Order 11246, Exec Order 11375
Copeland "Anti-Kickback" Act*	18 U.S.C. 874, 40 U.S.C. 276c
Walsh-Healey Act*	41 U.S.C. 35-45
Davis Bacon Act*	40 U.S.C. 276a-1-5
Service Contract Act of 1965*	41 U.S.C. 351-357
Contract Work Hours and Safety Standards Act*	40 U.S.C. 328-332
Fair Labor Standards Act of 1938	29 U.S.C. 201-219
Prohibition of Construction of Navel Vessels in Foreign Shipyards	Public Law 91-191 (DOD appropriation Act of 1970), title IV
Acquistion of Foreign Buses	Public Law 90-500, (DOD Appropriation Act of 1969, sec. 404

Release of Product Information to Consumers	Exec. Order 11566
Prohibition of Price Differential	Public Law 83-179, sec 644
Required Source for Jewel Bearings*	ASPR 7-104.37
Employment Openings for Veterans*	Exec. Order 11598,41 CFR 50-250, ASPR 12-1102
Covenant Against Contingent Fees*	41 CFR 1-1.500-509
Gratuities*	32 CFR 7.104-16
International Balance of Payment*	ASPR 6-805.2, FPR 1-6.8
Prison-made supplies	18 U.S.C. 4124
Preference to U.S. Vessels*	10 U.S.C. 2631, 46 U.S.C. 1241
Care of Laboratory Animals*	ASPR 7-303.44
Required Source for Aluminum Ingot*	ASPR 1-327, FPR subpart 1-5.10
Small Business Act*	15 U.S.C. 631-647; see also 41 U.S.C. 252(b) and 10 U.S.C. 2301
Blind-made Products	41 U.S.C. 46-48
Duty-free Entry of Canadian Supplies*	ASPR 6-605
Use of Excess and Near Excess Currency*	ASPR 6-000 et seq., FPR 1-6.804-806
Purchases in Communist Areas*	ASPR 6-401 et seq.
Nonuse of Foreign Flag Vessels Engaged in Cuban and North Vietnam Trade*	ASPR 1-1410
Labor Surplus Area Concerns*	Defense Manpower Policy No.4, 32A CFR 33 (Supp. 1972)
Economic Stabilization Act of 1970	12 U.S.C. 1904 note

Humane Slaughter Act*	7 U.S.C. 1901-1906
Miller Act*	40 U.S.C. 270a-d
Convict Labor Act*	Exec. Order 325A, ASPR 12-201 et seq.
Vietnam Veterans Readjust- ment Act	Public Law 92-540

*Indicates that the program has resulted in the issuance of a standard contract clause.

APPENDIX II

I. HISTORY OF THE E.E.O. ENFORCEMENT EFFORT

A. EXECUTIVE ORDERS

The case for equality in employment opportunity becomes strongest in a period of war when manpower is in short supply. The first Fair Employment Practices Commission (FEPC) was established by President Franklin D. Roosevelt in June of 1941 through Executive Order 8802. This five-man committee was authorized to receive and investigate complaints of discrimination, to take "appropriate steps" to redress valid grievances, and to recommend to Federal agencies and to the President measures deemed necessary to carry out the order. (Congressional Digest 1971) The first Commission was virtually powerless and existed only until early 1943.

Later in 1943, President Roosevelt issued Executive Order 9346 establishing a new commission giving it a broader jurisdiction than that of its predecessor. It included jurisdiction over all Government contractors and employment by the Federal Government. The second FEPC expanded its staff to include 15 field offices and in three years processed over 8,000 complaints and conducted 30 public hearings. Its power was limited to negotiation, moral suasion and the pressure of public opinion. Its authority expired in 1946.

From 1946 to 1964, the problem of discrimination in employment was addressed in several executive orders by Presidents Truman and Eisenhower. These orders established

committees to make recommendations for improvement and to serve as a clearinghouse for complaints. These committees were also without enforcement powers.

In 1961, President Kennedy issued Executive Order 10925, establishing a new President's Committee on Equal Employment Opportunity. It was responsible for carrying out E.E.O. policy in Government and in Government procurement contracts. Unlike previous executive orders, Kennedy's required contractors to take "affirmative action" to make the policy of nondiscrimination in employment effective.⁶

On September 24, 1965 President Johnson issued Executive Order 11246 transferring the function of the President's Committee to the Labor Department. On October 5, 1965 the Secretary of Labor established the Office of Federal Contract Compliance to carry out the requirement of the Executive Order. Executive Order 11246 remains in effect today with an amendment provided by Executive Order 11375 of October 13, 1967 to add sex as a forbidden basis of discrimination.

⁶Since the concept of "affirmative action" is vital to current E.E.O. policies, it is appropriate to outline the idea behind the concept. Affirmative action requires a contractor to:

(1) Make a positive and effective effort to attract qualified or trainable employees from minority and disadvantaged groups.

(2) encourage such employees to take advantage of advancement opportunities.

(3) prepare Affirmative Action Plans on an annual basis

(4) establish goals and timetables whereby affirmative action can be evaluated

(5) maintain a system for recording progress of minorities and other disadvantaged groups.

B. LEGISLATION

In the period between 1943 and 1963 proposed E.E.O. legislation rarely surfaced from Congressional Committee. Only one bill was passed by either house and it was eventually blocked by Senate filibuster. On July 3, 1964 a Civil Rights Act was passed. It contained 18 House amendments and 87 Senate amendments to the original administration civil rights bill. Title VII of this act applies to E.E.O. The Act established a bipartisan Equal Employment Opportunity Commission (EEOC) but still without enforcement powers. The EEOC's authority was limited essentially to persuasion, conference and conciliation of greivances about employment discrimination on the basis of race, color, religion, sex, or national origin.

The Equal Employment Opportunity Act of 1972 amended Title VII of the Act of 1964, empowering the EEOC to take cases to the Federal Courts.

APPENDIX III

I. ENFORCEMENT OF E.E.O. THROUGH THE CONTRACTING PROCESS

A. OFFICE OF FEDERAL CONTRACTS COMPLIANCE

This Secretary of Labor, pursuant to the provisions of Executive Order 11246, established the Office of Federal Contracts Compliance (OFCC) in October, 1965, as the agency directly responsible for enforcing this executive order. Executive Order 11246 requires all Federal Contractors to assure the Government that they will not discriminate in employment practices. It also requires contractors to take affirmative action to prevent discriminatory practices in all areas of employment. The scope of Executive Order 11246 was further broadened to cover all facilities of a contractor, even if only one of them is involved in Federal Contract work. Coverage under the Executive Order also applies to all tiers of subcontractors and suppliers dealing with a Federal Contractor with contracts exceeding \$10,000.

The OFCC has chosen to implement Executive Order 11246 by delegating to each of the various governmental procurement agencies the task of assuring compliance from a prescribed sector of industry according to Standard Industrial Codes. OFCC regulations require an equal employment opportunity clause in all Government contracts and subcontracts exceeding \$10,000.

A major thrust of the OFCC enforcement is to monitor the compliance operation of all Federal agencies that have been assigned E.E.O. compliance responsibility. According to

the Civil Rights Commission (Civil Rights Commission, 1971a) no substantial attempt was made by OFCC until 1969, to become deeply involved in the contract monitoring process. Prior to 1969 compliance responsibility had been assigned on a "predominant interest agency basis". This meant that the Federal agency with the most significant contract at the time of assignment became permanently responsible for a given contractor in all future compliance activities. Such a system involved a large number of agencies and was difficult to control and evaluate. In 1969, OFCC Order No. 1 was issued reducing the number of compliance agencies and reassigning compliance responsibility for Federal supply contractor facilities to agencies on the basis of the Standard Industrial Code (SIC) used by the Bureau of the Census. Table 1 provides a consolidated list of compliance agencies and the industries for which they have contract compliance responsibility.

B. DEPARTMENT OF DEFENSE

Of all the compliance agencies responsible for ensuring compliance with Executive Order 11246, DOD is the largest. Its responsibility extends to the industrial portion of the U.S. economy, representing seventy-five percent of all Federal contracts.

1. Defense Contract Administration Services

Within DOD, E.E.O. enforcement responsibility is assigned to the Office on Contract Compliance of the Defense Contract Administration Services (DCAS). National compliance efforts are achieved through the use of eleven regional offices of DCAS.

TABLE 1

COMPLIANCE AGENCIES

<u>Agency</u>	<u>Type of Industry</u>
Aid for International Development-----	Miscellaneous and other services (consulting and research firms).
Agriculture-----	Agriculture based industries.
Atomic Energy Commission-----	Chemicals, stone and clay products, instruments.
Commerce (Maritime Administration)-----	Shipbuilding (coastal), water transport (coastal)
Defense-----	Ordnance, textiles, leathers, primary metals, machinery, motor vehicles, printing, and miscellaneous manufacturing.
General Services Administration-----	Forestry and wood, paper communications, electric, gas and sanitary services, trade, real estate, amusements.
Health, Education, and Welfare-----	Insurance, medical legal and educational services, museums and nonprofit organizations.
Interior-----	Fisheries, mining, petroleum, rubber, plastics, pipelines, hotels.
National Aeronautics and Space Administration*-----	Aircraft and parts, business services.
Post Office-----	Rails, mass transit, motor freight, transportation services.
Transportation-----	Shipbuilding (interior), water transport (interior), air transportation.
Treasury-----	Banking, credit, and securities
Veterans Administration-----	Biologicals and pharmaceuticals.

*These assignments were reassigned from NASA to DOD. NASA still remains responsible for all of its own contractors, Order No. 9, March 16, 1970

Each regional office has a Chief of Contract Compliance responsible to a regional commander (Military). The regional chief, however receives guidance from the headquarters Office of Contract Compliance in Washington, D.C. Figure 28 depicts the compliance organization within DOD. Contract compliance is but one of several functions of DCAS. The regional commander is a military officer responsible for all of the functions within his region. Regional offices are located throughout the country on an essentially geographic basis.

a. Enforcement Coverage

Article 12-802 of the Armed Services Procurement Regulations contains the E.E.O. clause to be included in DOD prime contracts and subcontracts or purchase orders of \$10,000 or more (ASPR 12-800). Each contractor, subcontractor or vendor holding a contract or purchase order amounting to \$50,000 or more who employs fifty or more persons must possess a written affirmative action plan or must prepare a plan within 120 days following the effective date of the contract or purchase order.

b. Sanctions and Penalties

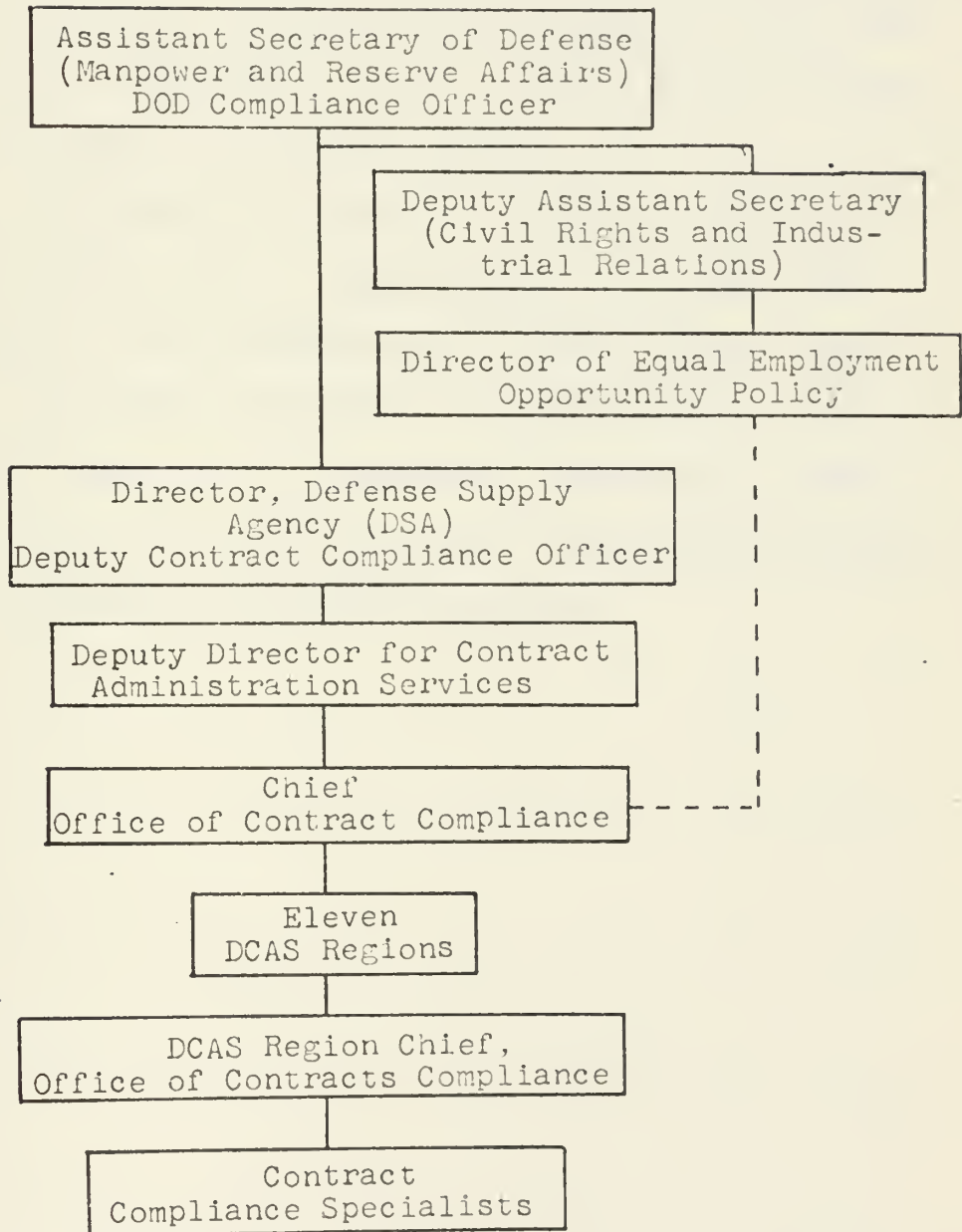
In the event of contractor noncompliance, a contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts.

c. Enforcement Mechanism

Contract compliance Specialists located in each of the regional DCAS offices conduct on-site reviews of contractor facilities. Contractor facilities to be inspected are selected

FIGURE 28

DOD E.E.O. COMPLIANCE ORGANIZATION



on the basis of the following criteria: (1) the facility has more than 150 employees, (2) it is engaged in active Government contract or subcontract work, and (3) it is located in a metropolitan area with at least a three percent minority group population. Compliance reviews must be conducted on any contractor receiving a negotiated or bid contract award of more than \$1 Million prior to the actual award.

When a deficiency is found by a Contract Compliance Specialist, he reports to his region chief who advises the regional commander that noncompliance has been found. The commander may conciliate the case to his satisfaction. Any exercise of the sanctions of suspension, cancellation, termination or debarment must be approved by the Assistant Secretary of Defense (Manpower and Reserve Affairs).

APPENDIX IV

I. NATIONAL E.E.O. ENFORCEMENT

A. THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The Equal Employment Opportunity Commission (EEOC) was established by Title VII of the Civil Rights Act of 1964. The Commission has five members appointed by the President, with advice and consent of the Senate, for staggered five-year terms. No more than three of the five can be members of the same political party. The Commission is assisted by a full-time staff of lawyers, researchers, economists, statisticians and other professionals. Its major operating units are the offices of: Compliance, Voluntary Programs, State and Community Affairs, Research Administration, General Counsel, and thirty-five regional and area offices.

1. Enforcement Coverage

Jurisdiction under Title VII extends to employers, labor organizations, and employment agencies. For the purpose of the Act an employer is defined as a person engaged in an industry affecting commerce who has fifteen or more employees. Initially, employers of Federal, State and local governments were excluded from coverage but were included later in the Equal Employment Opportunity Act of 1972 (Public Law 92-261). Jurisdiction extends to labor organizations which operate hiring halls or procure employees for an employer; or unions which have a membership of fifteen or more.

Discrimination is outlawed on the basis of race, color, religion, sex and nation origin. None of the above-listed

criteria can be used as a basis for an employer's hiring, firing, or paying policy. Unions cannot use race, color, religion, sex or national origin as reason for excluding or expelling members. Similarly, employment agencies cannot rail or refuse to refer for employment any individual for reasons of race, color, etc.

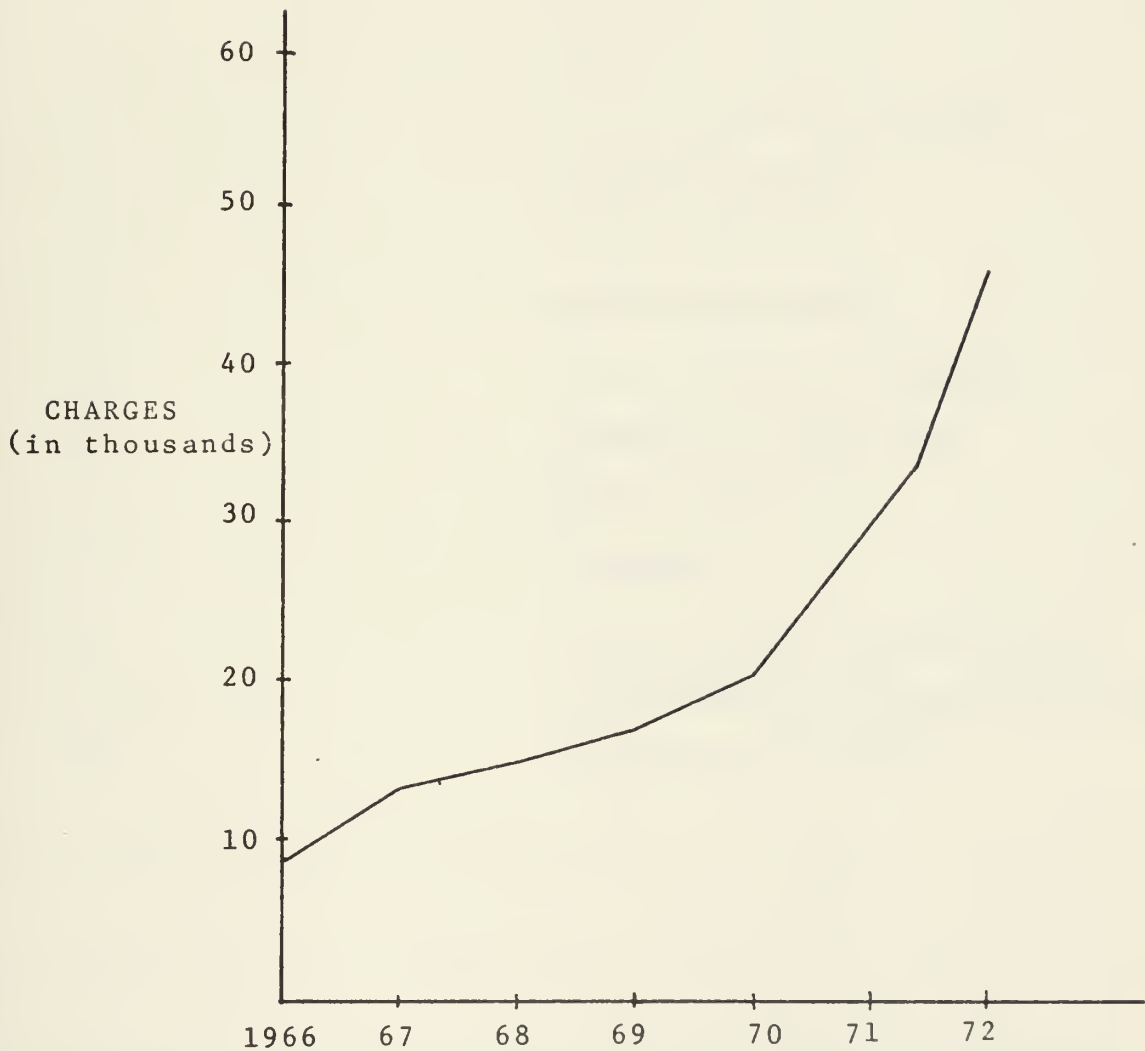
2. Enforcement Procedure

The Commission investigates charges of discrimination against employers, labor unions, and employment agencies. If the Commission finds "reasonable cause" to believe the charge is true, it seeks full remedy through conciliation. After a charge has been lodged with the EEOC for a period of thirty days and conciliation attempts have failed, the EEOC may bring civil action against the respondent. Figure 29 graphically depicts the growth of charges processed by the EEOC.

In addition to its enforcement role, the EEOC engages in programs to assist employers, unions and employment agencies in promoting voluntary equal opportunity programs. It also publishes interpretations of laws and guidelines on specific areas. It deals directly with State and local fair employment practices organizations and allows those agencies 120 days to process a complaint arising within the State.

FIGURE 29

* Charges of Discrimination Handled by EEOC



*New charges, charges returned from State and Local FEPC's plus charges returned with additional information

APPENDIX V

INDUSTRIES FOR WHICH DOD MAINTAINS E.E.O. COMPLIANCE RESPONSIBILITY

<u>SIC</u>	<u>INDUSTRY</u>
19	Ordance
22	Textiles
23	Apparel
27	Printing and Publication
31	Leather Products
33	Primary Metals
34	Fabricated Metals
35	Non-electrical Machinery
36	Electrical Machinery
371	Motor Vehicles
372	Aerospace
39	Miscellaneous Manufacturing
739	Miscellaneous Business Services
50	Wholesale and Retail

APPENDIX VI

DEFINITIONS OF OCCUPATIONAL CATEGORIES

Officials and managers. - Occupations requiring administrative personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Includes: officials, executives, middle management, plant managers, department managers and superintendents, salaried foremen who are members of management, purchasing agents and buyers, and kindred workers.

Professional. - Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: Accountants and auditors, airplane pilots, and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, personnel and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.

Technicians. - Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post high school education, such is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers and operators, draftsmen, engineering aids, junior engineers, mathematical aids, licensed, practical or vocational nurses, photographers, radio operators, scientific assistants,

surveyors, technical illustrators, technicians (medical, dental electronic, physical sciences), and kindred workers.

Sales. - Occupations engaging wholly or primarily in direct selling. Includes: advertising agents and salesmen, insurance agents and brokers, real estate agents and brokers, stock bond salesmen, demonstrators, salesmen and sales clerks, grocery clerks and cashier-checkers, and kindred workers.

Office and Clerical. - Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly nonmanual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, cashiers, collectors (bills and accounts), messengers and office boys, office machine operators, shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, and kindred workers.

Craftsmen (skilled). - Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid foremen and leadmen who are not members of management, mechanics and repairmen, skilled machining occupations, compositors and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors and tailoresses, and kindred workers.

Operatives (semiskilled). - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics, bricklayers, carpenters, electricians, machinists, mechanics, plumbers, building trades, metalworking trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, deliverymen and routemen, dressmakers, and seamstresses (except factory) dyers, furnacemen, heaters (metal), laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor-men, oilers and greasers (except auto), painters (except construction and maintenance), photographic process workers, stationary firemen, truck and tractor drivers, weavers (textile), welders, and flamecutters, and kindred workers.

Laborers (unskilled). - Workers in manual occupations which generally require no special training. Perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, gardeners (except farm) and groundskeepers, longshoremen and stevedores, lumbermen, craftsmen and wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.

Service Workers. - Workers in body protective and non-protective service occupations. Includes: Attendants (hospital and other institution, professional and personal service,

including nurses aides, and orderlies), barbers, charwomen and cleaners, cooks (except household), counter and fountain workers, elevator operators, firemen and fire protection, guards, watchmen and doorkeepers, stewards, janitors, policemen and detectives, porters, waiters and waitresses, and kindred workers.

APPENDIX VII

TABLED DATA*

<u>Table</u>	<u>Title</u>
1.	All Workers by Color and Sex, BLS, DCAS and EEOC
2.	White Collar Workers by Color and Sex, DCAS and EEOC
3.	Officials and Managers by Color and Sex, DCAS and EEOC
4.	Professionals by Color and Sex, DCAS and EEOC
5.	Technicians by Color and Sex, DCAS and EEOC
6.	Sales Workers by Color and Sex, DCAS and EEOC
7.	Clerical Workers by Color and Sex, DCAS and EEOC
8.	Blue Collar Workers by Color and Sex, DCAS and EEOC
9.	Craftsmen by Color and Sex, DCAS and EEOC
10.	Operatives by Color and Sex, DCAS and EEOC
11.	Laborers by Color and Sex, DCAS and EEOC
12.	Service Workers by Color and Sex, DCAS and EEOC
13.	Educational Attainment by Color and Sex

* Totals and subtotals in the following tables have been rounded to the nearest thousand. Percentages were computed using unrounded totals and subtotals.

TABLE 1

All Workers by Color and Sex, BLS, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON- WHITE</u>	<u>% NON- WHITE</u>	<u>** FEMALE</u>	<u>% FEMALE</u>
1966	10,381	1,032	9.9	2,756	26.6
1969	11,040	1,287	11.7	3,090	27.9
1971	10,411	1,387	13.3	2,882	27.7
1972	10,598	1,467	13.8	3,030	28.6

<u>DCAS (in thousands)</u>					
1969	9,080	1,178	13.0	2,065	22.7
1971	3,975	518	13.0	855	21.5
1972	4,568	623	13.6	1,044	22.8

<u>BLS (in thousands)</u>					
1966	71,790	8,090	11.2	26,564	37.0
1967	73,502	8,184	11.1	27,680	37.6
1968	74,920	8,317	11.1	28,544	38.1
1969	77,128	8,567	11.1	29,870	38.7
1970	79,253	8,823	11.1	30,919	39.0
1971	80,725	8,995	11.1	31,494	39.0
1972	82,036	9,030	11.0	32,230	39.2

*No significant difference between EEOC and DCAS percentages for 1971 and 1972, according to test of proportions.

**EEOC percentages significantly greater than DCAS for 1969, 1971 and 1972, according to test of proportions.

TABLE 2

White Collar Workers by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>		<u>**</u>	<u>% FEMALE</u>
		<u>*NON-</u>	<u>%NON-</u>		
		<u>WHITE</u>	<u>WHITE</u>	<u>FEMALE</u>	
1966	3,497	102	2.9	932	26.7
1969	3,997	171	4.3	1,102	27.6
1971	3,748	199	5.3	1,036	27.6
1972	3,777	206	5.4	1,056	28.0

<u>DCAS (in thousands)</u>					
1969	3,731	180	4.8	851	22.8
1971	1,700	92	5.4	373	21.9
1972	1,819	105	5.8	416	22.9

*No significant difference between EEOC and DCAS percentages for 1969, 1971 and 1972, according to test of proportions.

**EEOC percentages significantly greater than DCAS for 1969, 1971 and 1972, according to test of proportions.

TABLE 3

Officials and Managers by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON-</u>	<u>% NON-</u>	<u>**</u>	<u>% FEMALE</u>
		<u>WHITE</u>	<u>WHITE</u>	<u>FEMALE</u>	
1966	749	10	1.3	25	3.3
1969	910	18	2.0	37	4.1
1971	910	24	2.7	34	3.7
1972	944	29	3.0	40	4.3

<u>DCAS (in thousands)</u>					
1969	832	20	2.5	18	2.1
1971	392	11	2.8	9	2.3
1972	439	13	2.9	12	2.7

*No significant difference between EEOC and DCAS percentages for 1969, 1971 and 1972, according to test of proportions .

**EEOC percentages significantly greater than DCAS for 1969, 1971 and 1972, according to test of proportions.

TABLE 4

Professionals by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON-</u> <u>WHITE</u>	<u>% NON-</u> <u>WHITE</u>	<u>**</u> <u>FEMALE</u>	<u>% FEMALE</u>
1966	648	16	2.5	25	3.9
1969	763	27	3.5	44	5.8
1971	740	30	4.0	47	6.3
1972	727	32	4.3	49	6.7

<u>DCAS (in thousands)</u>					
1969	1,084	43	3.9	46	4.2
1971	519	23	4.4	23	4.4
1972	517	24	4.7	27	5.3

*No significant difference between EEOC and DCAS percentages for 1969, 1971 and 1972, according to test of proportions.

**EEOC percentages significantly greater than DCAS for 1969, 1971 and 1972, according to test of proportions.

TABLE 5

Technicians by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON- WHITE</u>	<u>% NON- WHITE</u>	<u>** FEMALE</u>	<u>% FEMALE</u>
1966	445	10	2.2	31	7.0
1969	516	28	5.3	45	8.8
1971	452	27	6.0	40	8.9
1972	416	29	7.1	43	10.3

<u>DCAS (in thousands)</u>					
1969	572	35	6.1	49	8.6
1971	260	17	6.5	20	7.9
1972	274	20	7.2	24	8.7

*No significant difference between EEOC and DCAS percentages for 1969, 1971 and 1972, according to test of proportions.

**No significant difference between EEOC and DCAS percentages for 1969, 1971 and 1972, according to test of proportions.

TABLE 6

Sales Workers by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON-</u>	<u>% NON-</u>	<u>**</u>	<u>% FEMALE</u>
		<u>WHITE</u>	<u>WHITE</u>	<u>FEMALE</u>	
1966	365	9	2.5	23	6.4
1969	445	12	2.7	46	10.4
1971	392	14	3.7	49	12.5
1972	400	15	3.9	52	13.1

<u>DCAS (in thousands)</u>					
1969	120	3.7	3.1	13	11.1
1971	47	1.2	2.6	2.7	5.9
1972	71	3.4	4.7	9.6	13.5

*Significant difference between percentages of DCAS and EEOC for 1971 and 1972 using proportion comparison test.

**Significant difference between percentages of DCAS and EEOC for 1971 using porportion comparison test.

TABLE 7

Clerical Workers by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON-</u>	<u>% NON-</u>	<u>**</u>	<u>% FEMALE</u>
		<u>WHITE</u>	<u>WHITE</u>	<u>FEMALE</u>	
1966	1,290	54	4.2	828	64.2
1969	1,364	96	7.0	879	64.4
1971	1,254	94	7.5	867	69.1
1972	1,236	99	8.0	871	70.5

<u>DCAS (in thousands)</u>					
1969	1,124	79	7.0	724	64.5
1971	485	40	8.2	319	65.8
1972	518	45	8.7	344	66.5

*No significant difference between EEOC and DCAS percentages for 1969, 1971 and 1972, according to test of proportions.

**EEOC percentages significantly greater than DCAS for 1971 and 1972, according to test of proportions.

TABLE 8

Blue Collar Workers by Color and Sex, DCAS and EEOC

		<u>EEOC (in thousands)</u>			
<u>YEAR</u>	<u>TOTAL</u>	<u>*NON-</u> <u>WHITE</u>	<u>%NON-</u> <u>WHITE</u>	<u>**</u> <u>FEMALE</u>	<u>% FEMALE</u>
1966	6,627	874	13.2	1,793	27.0
1969	6,765	1,125	16.6	1,946	28.8
1971	6,397	1,130	17.7	1,811	28.3
1972	6,528	1,187	18.2	1,934	29.6
		<u>DCAS (in thousands)</u>			
1969	5,142	944	18.4	1,191	23.1
1971	2,180	400	18.3	472	21.7
1972	2,645	490	18.5	615	23.3

*No significant difference between EEOC and DCAS percentages for 1971 and 1972, according to test of proportions.

**EEOC percentages significantly greater than DCAS for 1969, 1971 and 1972, according to test of proportions.

TABLE 9

Craftsmen by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON-</u>	<u>% NON-</u>	<u>**</u>	<u>% FEMALE</u>
		<u>WHITE</u>	<u>WHITE</u>	<u>FEMALE</u>	
1966	1,714	99	5.8	179	10.5
1969	1,773	148	8.4	199	11.2
1971	1,729	152	8.8	180	10.4
1972	1,761	166	9.4	200	11.4

<u>DCAS (in thousands)</u>					
1969	1,546	134	8.7	81	5.2
1971	689	64	9.3	38	5.4
1972	746	68	9.1	37	5.0

*No significant difference between EEOC and DCAS percentages for 1969, 1971 and 1972, according to test of proportions.

**EEOC percentages significantly greater than DCAS for 1969, 1971 and 1972, according to test of proportions.

TABLE 10

Operatives by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON-</u> <u>WHITE</u>	<u>% NON-</u> <u>WHITE</u>	<u>**</u> <u>FEMALE</u>	<u>% FEMALE</u>
1966	3,924	430	11.0	1,346	34.3
1969	3,763	723	19.2	1,416	37.6
1971	3,755	737	19.6	1,355	36.0
1972	3,821	770	20.2	1,424	37.3

<u>DCAS (in thousands)</u>					
1969	3,029	646	21.3	952	31.4
1971	1,254	266	21.2	368	29.3
1972	1,624	346	21.3	505	31.1

*No significant difference between EEOC and DCAS percentages for 1971 and 1972 using proportion comparison test.

**EEOC percentages significantly greater than DCAS for 1969, 1971 and 1972, according to test of proportions.

TABLE 11

Laborers by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON-</u>	<u>% NON-</u>	<u>**</u>	
		<u>WHITE</u>	<u>WHITE</u>	<u>FEMALE</u>	<u>% FEMALE</u>
1966	808	231	28.6	267	33.0
1969	1,037	269	26.0	331	31.9
1971	912	241	26.4	277	30.3
1972	945	250	26.4	310	32.8

<u>DCAS (in thousands)</u>					
1969	567	165	29.0	158	27.9
1971	237	70	29.4	66	28.1
1972	275	76	27.8	73	26.6

*No significant difference between EEOC and DCAS percentages for 1972, according to test of proportions.

**EEOC percentages significantly greater than DCAS for 1969 and 1972, according to test of proportions.

TABLE 12

Service Workers by Color and Sex, DCAS and EEOC

<u>YEAR</u>	<u>TOTAL</u>	<u>EEOC (in thousands)</u>			
		<u>*NON-</u>	<u>% NON-</u>	<u>**</u>	<u>% FEMALE</u>
		<u>WHITE</u>	<u>WHITE</u>	<u>FEMALE</u>	
1966	256	56	22.0	31	12.1
1969	277	70	25.4	42	15.1
1971	272	71	26.1	35	13.0
1972	293	74	25.2	39	13.5

<u>DCAS (in thousands)</u>					
1969	206	54	25.9	23	11.3
1971	95	26	27.8	10	10.4
1972	104	28	26.4	12	11.5

*No significant difference between EEOC and DCAS percentages for 1969, 1971 and 1972, according to test of proportions.

**EEOC percentages significantly greater than DCAS for 1969, 1971 and 1972, according to test of proportions.

TABLE 13

Educational Attainment by Color and Sex

<u>YEAR</u>	<u>WC</u>	<u>N-WHS</u>	<u>N-WHS/WC</u>	<u>FHS</u>	<u>FHS/WC</u>
1966	33,068	2,929	8.8	16,974	51.3
1967	34,232	3,137	9.2	17,881	52.2
1968	35,552	3,479	9.8	18,982	53.4
1969	36,844	3,708	10.1	20,252	55.0
1970	37,997	4,082	10.7	21,489	56.6
1971	38,252	4,270	11.2	22,021	57.5
1972	39,092	4,490	11.5	-	-

<u>YEAR</u>	<u>N-WCOL</u>	<u>P&T</u>	<u>N-WCOL/P&T</u>
1966	376	9,310	4.0
1967	391	9,879	4.0
1968	475	10,326	4.6
1969	490	10,769	4.6
1970	552	11,080	5.0
1971	555	11,070	5.0
1972	622	11,459	5.4

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20. ABSTRACT (Continue on reverse side if necessary and identify by block number) This thesis examines the use of the Department of Defense procurement process to enforce the Equal Employment Opportunity program. Data concerning employment percentages of non-whites and females are compiled from two sources. The first source is the semi-annual summaries of the Defense Contract Administrative Services (DCAS) which is responsible for enforcing E.E.O. in Federal contracts for fourteen major industry groups. The		

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second source is the Equal Employment Opportunity Commission (EEOC) which receives annual reports of employment statistics from all employers of more than one hundred persons. A comparison is made between DCAS data and EEOC data relating only to the same fourteen industry groups assigned to DCAS. No significant difference is found between DCAS and EEOC percentages for non-whites, and, EEOC percentages for females are significantly greater than those of DCAS. The conclusion is drawn that no significant degradation in the equal employment opportunity performance of Defense contractors would occur if DCAS ceased performing the E.E.O. enforcement function.



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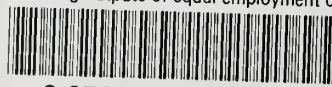
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